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Cabinet Council Minutes
1866-1874

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Cabinet Council

1866 — 1874

1866.

Cabinet Council at Iolani Palace
Wednesday, March 7th at Noon
Present:

His Majesty the King - presiding
Messrs. R. W. Hutchison
C. C. Harris
C. de Varigny.

The opening of the Legislature was fixed for Wednesday the 25th of April 1866, at 12. Noon

After consideration it was agreed that J. Kenway, Circuit Judge at Hilo, Hawaii be superseded. The appointment of his successor was postponed, to have time to His Majesty to consider.

Mr. C. de Varigny ~~informed~~ stated to the King and Cabinet that the French Commissioner had informed him that he had transmitted to his Government his dispatch of the 3rd of March and would wait for instructions before going on with his complaint of Sect. 1284. of Civil Code.

Mr. R. W. Hutchison called His Majesty's attention upon the fact that, in his opinion, the office of Attorney General was vacant.

His Majesty stated that Mr. C. C. Harris was discharging the duties of that office until some one could be procured from abroad.

A long conversation ensued upon this point.

The discussion of the appropriation Bill was taken up. It was agreed to take the last appropriation bill as a basis and the items of the same were read successively and passed with the following modifications:

Interior Department.

Messengers, watchman & yard boy	$ 988
Clerk Governor of Hawaii	1.600
Surveying	2.500
Police of Oahu	18.720
" " Maui	6.200
" " Hawaii	6 856
Stationery and incidentals of Dep.t	1.500
Clerk Postmaster General	2.000
Mail Carriers Hawaii	1.928
" " Maui & Molokai	800
" " Oahu	624
" " Kauai & Niihau	400
Expenses of Board of Health	20.000
Government Printing	10.000
Encouragement of Agriculture and Immigration	5.000

Meeting adjourned at 4. P. M. till Friday next at 11. A. M.

C. C. Varigny
Hon. Secy of the Cabinet.

1866.

Cabinet Council at Iolani Palace
Saturday, March 10. at 11. A. M.
Present

His Majesty the King - presiding
M. M. C. C. Varigny
F. W. Hutchison
C. C. Harris.

The Minutes of the last meeting were read and approved.

The Minister of the Interior informed the Cabinet that he had received petitions for partial remittance of sentence, the parties promising to leave the Kingdom.

After consideration the Minister was advised to reply to the applicants that he declined recommending these petitions to His Majesty

The consideration of the appropriation Bill was resumed and the following modifications passed:

Pay of Road Supervisors	$9.000
Purchase of Road Stock	1.500
Road Damages	1.000
Roads and bridges on Hawaii	8.000
" " " " Maui	4.000
" " " " Oahu	5.000
" " " " Kauai	1.000

The meeting was adjourned at 1. P. M. till Monday next at 12. Noon.

L. Ed Varigny
~~Hon. Secy of~~ the Cabinet

1866.

Cabinet Council at Iolani Palace
Monday, March 12. at 12. Noon
Present:
His Majesty the King - presiding
Mr. Mr. L. L. Harris
L. Ed Varigny
F. W. Hutchison

The minutes of the last meeting were read an approved.

The consideration of the appropriation bill was resumed and the following modifications passed:

Wharves and buoys for Hon. Harbor	$20.000
Dredging Honolulu Harbor	
Deepening the bar of d° d°	

It was agreed to call a meeting of Messrs Prendergast, Hughes, Brown, Meek, & ~~and~~ other competent parties and experts to consider this question.

Increase of waterworks	20.000
New water pipes	3.000
Steamer Pele & d°	10.000
Insane Asylum	12.000
Royal Mausoleum	2.000
Anchors & buoys	
Landing at Kahotaleo	1.200

Court House & lock up at Wailuku 2.000
" " " " Kauai 1.200
Light house at Lahaina 500
Purchase of standard weights & measures 800
" " ballot boxes 200
To complete Wharf at Lahaina 200
Repairing & refurnishing Palace 20.000
Powder magazine
Prison at Hilo 1.500
Repairs of Gov.t buildings 20.000
Government Engineer

Adjourned at ½ past 3. P. M. till to-morrow, noon.

E. H. Varigny
Hon. Secy of Cabinet Council.

1866

Cabinet Council at Iolani Palace
Tuesday, March 13. at 12. Noon
Present:
His Majesty the King - presiding
Ms. Ms. E. H. Varigny
C. C. Harris
F. W. Hutchison.

The Minutes of the last meeting were read and approved.

The consideration of the appropriation was resumed and the following modifications in the items of the Department of foreign Affairs were passed.
Office expenses of foreign Agents $2.000
Expenses of foreign missions 3.000.

Mr. E. H. Varigny moved to insert a salary of $750. a year for H. M.'s Consuls General in New York and in Paris, and a similar amount for H. M.'s Consul General in London. This motion was defeated.

In the Department of Finance the following alterations were

Storekeeper at Honolulu	$ 2.400
Pay of Assessors	7.000
" " Collectors	7.000
Interest National debt	24.460..
" on School fund	5.125
Custom House boat	700.

The appropriation for the Department of Public Instruction was passed with the following alterations

Stationery and incidentals	$ 600
Reformatory Sch.	5.424.
Census of 1866	2.500

In the Department of Law the following alterations were made

Salary 2d Associate Justice	$ 7.000
" Clerk Attorney General	2.400

A sum of $1.000. was ordered to be inserted in the appropriation of the Interior Department for purchase of books for Government Library.

Adjourned at 3½ p. M. till Thursday next at 12. Noon

C. C. Harris
Hon. Secy of the Cabinet

1866.

Cabinet Council at Iolani Palace
Thursday March 15th at 12. Noon
Present:
His Majesty the King - presiding
Mr. Mr. C. C. Harris
C. C. de Varigny
F. W. Hutchison

The Minutes of the last meeting were read and approved.

The following item was inserted in the appropriation for Finance Department

National debt falling due $ 48.850

The appropriation for War Department was fixed at $ 60.026. 90¢

The following changes were made in the Miscellaneous expenditures

Annuity for L. Andrews	$ 2.000.
Secretary Privy Council do	200.
Stationary do do do	100.
Expenses of Legislature	6.000.
R. C. Wyllie's advances to War Dep.t	2.998.38
Sir H. Borring's expenses	5.000.

Meeting adjourned at 3. P. M.

C. de Varigny

Hon. Secy of Cabinet.

1866.

Cabinet Council at Iolani Palace
Wednesday March 21. at 12. Noon
Present:
His Majesty the King presiding
M. M. R. W. Hutchison
C. C. Harris
C. de Varigny.

The Minutes of the last meeting were read and approved.

The consideration of the appropriation Bill was resumed and the following blanks filled up:

For Dredging Honolulu Harbor	$ 15.000
" Anchors & buoys	10.000
" Powder magazine	1.500

The following items of expenditure were inserted:

For Government warehouses	20.000
" Royal Palace	50.000
" Government House	50.000
" Lighthouse for Hon. Harbor	8.000

The appropriation for the War Department was reduced to $ 53.026.20.

It was Resolved: That the Minister of Finance be authorized to remit to H. M. Queen Emma the sum of $3.000. as soon as possible after closing the accounts of the biennial period; the same being part payment in advance of her permanent settlement and being so advanced on

the joint responsibility of the members of His Majesty's Cabinet.

Meeting adjourned at 4. P.M.

C. de Varigny
Hon. Secy of the Cabinet.

1866.

Cabinet Council at Government House
Wednesday, April 10th at 12. Noon
Present:

His Majesty the King. presiding
Ms. Ms. C. C. Harris
C. de Varigny
F. W. Hutchison.

The minutes of the last meeting were read and approved.

His Majesty authorized the Minister of Foreign Affairs to issue an exequatur to F. D. Wicke Esqr as Consul for Oldenburg, and to cause to be published the official circular of the Peruvian Minister of Foreign Affairs.

The Minister of Finance stated that, pursuant to the Resolution of the last meeting, a sum of $3.000 had been remitted to Queen Emma.

The Minister of the Interior submitted the draft of a Postal Convention with the Government of United States as reported by the Hon. C. H. Allen. The consideration of the same was postponed.

The bill of appropriation was read and finally agreed upon, and handed over by the Secretary of the Cabinet to the Minister of Finance

It was agreed that the deficit as apparent be made up by the renewal of Bonds falling due, and that appl.ion

tion to that effect be made to the Legislative Assembly.

Adjourned till Tuesday next

E. de Varigny

Hon. Secy of the Cabinet

1866.

Cabinet Council at the Government House Tuesday, April 17th at 12. Noon

Present:

His Majesty the King, presiding

Mr. Mr. E. de Varigny

F. W. Hutchison

E. E. Harris.

The Minutes of the last meeting were read and approved.

It was agreed to insert the following items in the appropriation Bill:

For Keeper of Royal Mausoleum $600.

" contribution to the 1st Exhibition 500

After a long discussion on the financial policy of the Government and the principles of a Bank bill, the ~~Cabinet was adjourned at 4. P. M.~~ Minister of Foreign Affairs submitted the Draft of a Royal Speech for the opening of the Legislature.

Adjourned ~~till~~ at 4. P. M. till Thursday next.

E. de Varigny

Hon. Secy. of the Cabinet.

1866.

Cabinet Council at the Government House Thursday, April 19th at 12. Noon

Present:

His Majesty the King presiding

Mr. Mr. E. E. Harris

E. de Varigny

F. W. Hutchison

The Report of the Minister of Finance

was read discussed, amended, and finally agreed upon.

The draft of a Royal Speech submitted by Mr. De Varigny was next read discussed, amended and finally adopted.

The Cabinet adjourned at half past three.

E. de Varigny
~~Hon. Secy of the~~ Cabinet.

1866.

Cabinet Council at Iolani Palace
Sunday, May 6th at 12 Noon
Present:
His Majesty the King presiding
Mr. Mr. R. H. Hutchison
C. C. Harris
E. de Varigny

The Minister of Finance submitted a Bill to modify the law on Adultery. Passed with amendments.

The Bill on Treasury notes and a Banking Bill were submitted and discussed at some length, the Ministers of Foreign Affairs and of the Interior objecting to some of the principles of said Bill, further consideration was postponed.

The Minister of the Interior suggested an additional tax of ½ of 1% to be levied on Real Estate for the benefit of the Roads. Agreed after discussion not to move it at the present session.

The same Minister submitted the draft of a Bill to regulate the sale of poisons.

The Minister of Finance was instructed to draw up a Bill to authorize the Government to appeal from judgments of the Inferior Courts.

Adjourned at 3 P. M.

E. de Varigny
~~Hon. Secy of the~~ Cabinet.

1866

Cabinet Council at Iolani Palace
Tuesday, May 6th at 12. Noon.
Present.
His Majesty the King - presiding
M. M. C. de Varigny
F. W. Hutchison
C. C. Harris.

It was agreed to propose to the Assembly a modification of Sect. 913. & 914. of the Civil Code.

His Majesty submitted a petition addressed to him by the people of Molokai against the District Judge. Reserved for consideration.

Adjourned at 2. P. M.
C. de Varigny
Hon. Secy of the Cabinet.

1866.

Cabinet Council at Iolani Palace
Wednesday, May 9th at 12. Noon.
Present.
His Majesty the King - presiding
M. M. F. W. Hutchison
C. C. Harris
C. de Varigny.

The Treasury notes Bill was discussed again, amended and finally agreed to.

Adjourned at 3. P. M.
C. de Varigny
Hon. Secy. of the Cabinet

1866.

Cabinet Council at Iolani Palace
Wednesday, July 4th at 9. A. M.
Present.
His Majesty the King - presiding
M. M. C. de Varigny
F. W. Hutchison
C. C. Harris
The Minister of Foreign Affairs

laid before the Cabinet the despatch of the French Commissioner of the 25th of June last applying for 1° a reduction of the duty of $3.00. on spirituous liquors, 2° a representation of the sale of wines to natives; 3° permission to French whale ships to land spirits and sell them.

The Cabinet was unanimously of opinion that the points raised were matters of local legislation; that the Treaty was strictly and fairly adhered to and the Minister of Foreign Affairs was requested so to reply to the French Commissioner.

It was further agreed, on the request of the Minister of Finance, to authorize him to postpone the publication of the appointments made of Assessors till after the Session of the Legislature.

Adjourned at 10. A. M.

E. de Varigny
Hon. Secy of the Cabinet

1866.

Cabinet Council at Tolani Palace
Thursday, July 26th at 12. Noon
Present:

His Majesty the King - presiding
MM. E. E. Harris
E. de Varigny
F. W. Hutchison.

The Ministers called His Majesty's attention upon such Bills passed by the Assembly as had not yet been reported back.

His Majesty withheld his signature from the Bills relative to Snakes 2° and to the modification of the law providing for the sections of Fire Department.

The law relating to the Boundary Commissioner was, after discussion,

postponed, and signature suspended.

~~C. de Varigny~~

Adjourned at 2. P. M.

C. de Varigny

~~Hon. Secy. of the Cabinet~~

866.

Cabinet Council at Iolani Palace
Friday, August 22. at 10. A. M.
Present:
His Majesty the King presiding.
Ms. Ms. C. de Varigny
F. M. Hatchison
C. C. Harris.

The Minister of Finance submitted copy of the commission of interpreter and translator of the government delivered by the two Associate Justices of the Supreme Court, together with copy of his correspondence with them objecting to their action. The same was approved.

The Secretary at War submitted copy of the Charter of Incorporation applied for by 1st Hawaiian Cavalry. His Majesty approved of the same and recommended that it be submitted in Privy Council.

The Secretary at War submitted the amendment applied for by the Honolulu Rifles. Referred to Attorney General.

The Minister of the Interior submitted the following applications:

From J. M. Smith & Co. offering $1.000. for yr. interest in the lot of land on which their store stands. Accepted.

From W. C. Lane offering $3. per acre for land called Puemuke, Oahu. Decided to put up said land at auction at an upset price of $5. per acre.

From Nua for a piece of land called Kealakea, N. Kona offering $20. a year for a lease of 10. years. Postponed for further information.

From A. Andrews for some Government land in Kookupoko, offering $1.50. and acre. Refused.
From W. Gibson for five Government lands. Offer declined. Preference to be given on equal terms to native Hawaiians. Reference to be made to Governor of Maui as to value of said land.

From G. R. Mitchell for land in Punkeo for 10. years, offers $80. a year. To inquire if he wants it for cotton planting, in which case, application is to be granted; (subsequently refused).

From Moa for land in Maakuka, Kau offers $200. for purchase of 450. acres. Postponed.

From H. A. Widemann for purchase of a taro patch omitted to be sold at the sale of Puunui. Left to the discretion of the Minister of the Interior.

From E. R. Bishop for purchase of a piece of land in Waikiki plain. Declined.

From G. B. Uleka for land called Punneke. Similar application from Kana. Agreed to put up the land at auction.

From Richards & Co claiming payment for passage of Hawaiian destitute seamen. Referred to Attorney General to report to the Minister of the Interior.

With respect to the Public Works it was agreed to prosecute the same in the following order:-

Water Works - Warehouses - Dredging
Mausoleum, Court House at Waikiki, Bonded Magazine.

Adjourned at 2. P.M.

E. O. Vasigny
Hon. Sec. of the Cabinet.

1866.

Cabinet Council at Iolani Palace
Thursday, September 20th at 11. A.M.
Present.

His Majesty the King - presiding -
Messrs. C. C. de Varigny
F. W. Hutchison
C. C. Harris
C. H. Philips.

Mr. C. H. Philips took his seat in the Cabinet as Attorney General.

The Minister of the Interior submitted the draft of a contract prepared by the Agent of the P. C. S. S. Co. company in regard to the establishment of the steam line between California, Japan and China, touching at Honolulu.

The said draft was read and discussed section by section, amendments noted and was referred back to the Minister of the Interior and the Attorney General.

Adjourned at 2. P. M.

C. de Varigny
Act. Secy of the Cabinet.

1866.

Cabinet Council at Iolani Palace
Tuesday, October 2d at 12. Noon
Present:

His Majesty the King - presiding -
Messrs. C. de Varigny
F. W. Hutchison
C. C. Harris
C. H. Philips.

The Minister of the Interior and the Attorney General reported back the contract as drawn up by them. Said contract was read section by section, discussed, amended and finally agreed upon.

On motion of the Minister of the Interior Mr. J. M. Smith was appointed

as Director of the Government Printing establishment.

Adjourned at half past two P. M.

C. de Varigny
Hon. Secy. of the Cabinet.

1866.

Cabinet Council at the Foreign Office
Monday, November 19th at 10 A. M.

Present:

Ms. Ms. C. de Varigny
F. W. Hutchison
C. C. Harris
J. H. Phillips.

The Minister of Foreign Affairs submitted a despatch received from the Minister Resident of the United States relating to the case of the "Blue Jacket" and stating the views of the Washington Cabinet on said case.

After discussion and on the suggestion of the Attorney General, it was

Resolved: That the above mentioned dispatch, together with the previous correspondance relating to the case of the "Blue Jacket" be referred to the Attorney General, who, after consultation with the Judges of the Supreme Court will report to the Cabinet.

The Attorney General stated that a murder had been committed in Kona, and that the Marshall had suggested that a reward be offered for the arrest of the parties suspected. It was agreed to delay acting on said suggestion until fuller information be received from Kona.

Some conversation took place on the fact of an American man of war being ordered to station permanently in the Islands. Action deferred on the same.

Adjourned at 11 A. M.

C. de Varigny
Hon. Secy. of the Cabinet.

1866.

Cabinet Council at the Foreign Office
Wednesday, November 21. at 10. A. M.

Present
J. H. Phillips
L. L. Harris
R. W. Hutchison
L. de Varigny.

Pursuant to the views expressed by all the members of the Cabinet at the last meeting in regard to the permanent station here of a man of war, and to the difficulties that might originate from such a permanent station, the Minister of Foreign Affairs submitted to the Cabinet the following dispatch, directed to Admiral Thatcher and embodying the various objections stated at last meeting by each and all the members of the Cabinet. The following despatch was read, amended and the Minister of Foreign Affairs was instructed to direct it to Admiral Thatcher and to have the same inserted in the seconds of this meeting.

Department of Foreign Affairs
Honolulu, November 23. 1866.

Admiral,

The friendly feelings evinced by you towards His Majesty's Government and the earnest interest you have manifested in the welfare of the Hawaiian nation make me desirous of addressing you in a spirit of entire frankness concerning the disposition of the naval forces of the United States in the vicinity of these Islands.

It has been, for some time past, currently reported, and it seems to be a definite fact, decided upon before your welcome visit here, that it is your intention, as Commander in Chief of the United States Squadron in the North Pacific, to station permanently

a powerful man of war at the port of Honolulu.

His Majesty's Ministers, who you will allow me to say have derived from their intercourse with you none but the greatest satisfaction, entertain no doubt that from your visit here you have become satisfied that the American interests in this country, carefully watched over as they are by your able Ministerial Resident, require no such unusual precautions. I am therefore requested by my colleagues in the Ministry, after careful deliberation and consideration, to point out to you, Sir, several considerations which, in their opinion, would render such a step as undesirable by the United States Government, as injurious to this Government at home and abroad.

You are well aware that Hawaiian government has from its foundation, always aimed at acting with strict and impartial justice towards all citizens or subjects of foreign origin residing within this Kingdom, nor can they be accused of a single act of injustice towards any citizen of the United States.

As a natural consequence they have enjoyed and still enjoy the continued confidence and respect of the successive administrations at Washington. Unable, as we are with our limited resources, to maintain any naval force, devoted to peaceful agricultural pursuits, undisturbed by any aggressive neighbors, at peace with all nations, we cannot help feeling confident that the permanent presence in the capital of this Kingdom of a powerful ship, manned by a numerous crew, would excite throughout the world a general opinion that this Government was either protected or intimidated. Such an opinion, once circulated, would detract from the prestige acquired by many years of successful independent administration and would humble the just pride of the native Dynasty and people.

We are furthermore of opinion that the presence of an armed ship, understood to be permanently stationed here, would naturally induce those nations which either enjoy or covet in this Ocean a naval superiority, to maintain a corresponding force by its side.

Turning aside from these more general considerations, you will perceive, Admiral, that the continued presence of a large crew, trained to arms, accustomed to act in concert and outnumbering such forces as a peaceful government like this generally maintains, will exercise a disturbing influence on the internal arrangement of the Kingdom; that no adequate police can be devised to control the unavoidable misconduct of sailors on shore and that the government must either draw largely upon its Treasury to maintain a considerable and unproductive military force, or else look on in silence while excesses are committed or suffer the humiliation of appealing to the naval Commanders to enforce order within its own territory. Nor is it difficult to suppose a case where the conflict of nationalities may break out on shore and the quiet streets of our Capital become the theatre of quarrels between sailors of different countries, while the local authorities are unable and the foreign officials disinclined to exercise repression.

Even supposing that the usual restraints of discipline and the watchful control of officers should avoid such dangers, it will be admitted that the presence of a large number of vigorous men, comparatively idle, released from many of the ordinary checks of social life must unavoidably lead to a fearful increase of the licentiousness which this Government strives so earnestly to combat and must counteract the efforts of so many Christian men and women who have for half a century devoted themselves to the most arduous task of raising the standard of morality among this people.

We are further of opinion that the presence of such a vessel would embarass the work of the Government by fomenting, among the subjects of His Majesty a spirit of faction in which the crews and even the officers would, after a time, become involved, and that such a permanent presence would be represented by evil disposed persons and perhaps felt by all as a permanent menace.

Satisfied, as His Majesty's Ministers are, that none of the great maritime powers dreams for a moment of depriving the King of these Islands of His Crown or of impairing in any way, even so remotely, his constitutional independence, they have the best of reasons to believe that any demonstration on the part of the United States will be followed up by a corresponding demonstration of the other great powers, for you aware, Sir, that the Independence of these Islands has been made the subject of reciprocal guarantees between Great Britain and France, in so far as these nations are concerned.

The above mentioned suggestions are of course confined to the presumed intention of the United States to maintain permanently an armed vessel in these Islands. His Majesty's Ministers would be wanting in every spirit of international courtesy if they did not improve the present opportunity to return again, in the name of His Majesty and on behalf of every loyal subject their most grateful thanks for the considerate attention of your Government in placing your noble flagship at the disposal of the Queen Dowager Emma, and they have striven to make their appreciation of this gallant act fully known, not only to yourself but also to the officers and crew under your command.

It is my duty and pleasure to add that the visits of the armed vessels of the

United States have always been most welcome and that every inducement will continue to be afforded to them to make this port a place of temporary resort, and we flatter ourselves that Honolulu is not unkindly remembered by those who visit it.

I feel fully confident, Sir, that this frank and open communication will satisfy you of the earnest desire of His Majesty's Cabinet to carefully seek to avert every source of difficulty between them and the great maritime powers and that the step thus taken by confiding to you the doubts they entertain concerning the policy and opportunity of a permanent station here will be for you and your Government a guarantee that, should such a similar step be contemplated by any other power they would not hesitate to make the same representations and act with equal fairness.

Before closing this letter permit me to add that upon the points above stated all His Majesty's Ministers concur in opinion. I therefore express their unanimous hope that any order which you may have seen fit to issue, in the Squadron under your command, contemplating the permanent assignment of a man of war to this port, may, after careful consideration, be revoked.

I have the honor to renew to you the assurances of the very high respect and most distinguished consideration with which I remain,

Admiral,

Your very humble & obedient servant
(Signed) C. de Varigny
Minister of Foreign Affairs
and Secretary of State.

To Admiral H. K. Thatcher
Commander in Chief of the U. S. Squadron
in the North Pacific.

The Minister of Foreign Affairs stated that he had received the visit of Messrs H Carter and Captain Little, who, in the name of the Planters had applied to His Majesty's Government to respond negotiations with the United States Cabinet in relation to a reciprocity Treaty.

Has agreed to request the planters to make their views known in writing.

Adjourned at 12. Noon.

C. de Varigny
Hon. Sec. of the Cabinet

1867.

Cabinet Council at Iolani Palace
Monday, January 14. at 11½. A. M.
Present:

His Majesty the King
C. C. Harris
J. H. Phillips
C. de Varigny.

The minutes of the two previous meetings were left in His Majesty's hands.

The Minister of Foreign Affairs submitted to His Majesty's signature the new Treaty with Italy.

It pleased the King to instruct the Minister of Foreign Affairs to prepare a Commission as Plenipotentiary in favor of J. Ward Reed Esqre Consul General in Japan to enable him to negotiate with the Japanese Government the admission of the Hawaiian Kingdom to the Yedo Convention.

The Minister of Finance submitted to the consideration of His Majesty and Cabinet the question of the payment of taxes due by Coolies imported through the Board of Immigration. The Minister was advised to instruct the Governors of the Islands to cause payment to be demanded

from the employers of said Coolies.

The Attorney General submitted his opinion in writing upon the despatch No. 5. of the 10th of November last received from the Minister of the United States in regard to the "Blue Jacket" case. After discussion the Minister of Foreign Affairs was instructed to draw up a reply accordingly and to close said reply by stating plainly that in the opinion of His Majesty and Cabinet the Government of the United States was not entitled to claim the reciprocal rights embodied in the 21st article of the French Treaty, unless they signified their intention to grant, in their own ports, to Hawaiian Consuls the corresponding rights guaranteed to them in French ports by the bend of said 21. article.

In regard to the memorial received by the Minister of the Interior from planters and farmers applying for a renewal of negotiations with the United States to secure a Treaty of Reciprocity, it was agreed that the signers of said memorial be invited to meet and confer with His Majesty's Ministers, for the purpose of considering how the deficiency in the public Revenue that would inevitably result from such a Treaty, could best be made up.

Adjourned at ½ past 1 P. M.

C. C. Harris
Hon. Secretary of the Cabinet.

1867

Cabinet Council at Iolani Palace
Monday, January 28. at 12. Noon
Present:
His Majesty the King - presiding
M. M. J. H. Phillips
F. W. Hutchison
L. C. Harris
C. de Varigny.

The minutes of the last meeting were read and approved.

The Minister of Finance stated the result of the conference between the Ministers and the Planters & Farmers in relation to the Treaty of Reciprocity.

It pleased His Majesty to approve of the suggestion made by the Minister of Foreign Affairs in regard to the appointment of Hunnewell Esqre as Acting Hawaiian Consul in Boston, during the temporary absence of H. A. Peirce Esqre

The Minister of the Interior submitted a petition from C. Jones offering $2.000. for purchase of an unsurveyed Government land in Hamakua, Hawaii; or if sale declined, for a lease of the same. Decision postponed until further enquiries.

The Minister of the Interior communicated the correspondence exchanged between him as President of the Board of Health and T. C. Heuck, Secretary of said Board, in relation to an increase of salary for extra services rendered by the latter during the management of the Lepers hospital, said increase claimed amounting to $600. for the last year. After discussion the Minister of the Interior was advised to ascertain the opinion of the Board of Health on this claim and report to the Cabinet.

The Attorney General having this afternoon for Hawaii stated his views in regard to the negotiation of a reciprocity Treaty with the United States: he recommended entering into said negotiation as speedily as possible; suggested that a negotiator should first proceed to San Francisco with a view of ascertaining the chances of support to be derived from the commercial and political mind of the Pacific States, and then should repair to Washington, if the prospects were favorable. He further recommended ~~placing~~ offering to the U. S. Government to place on the free list those articles which would naturally come from the United States, adding that, in his opinion, this mode of action would tend to preserve to this Kingdom its cosmopolitan character.

The Minister of Foreign Affairs expressed his concurrence in the views of the Attorney General.

The Minister of Finance stated that he had great doubts as to the success of the negotiation and as to its opportunity.

Discussion postponed.

Meeting adjourned at 3. P. M.

C. de Varigny

~~Hon. Secy. of the Cabinet.~~

1867.

Cabinet Council at Government House
Tuesday, February 19th at 12. Noon
Present:

His Majesty the King presiding.
Messrs C. de Varigny
R. W. Hutchison
C. C. Harris
J. H. Philips.

The Minutes of the last meeting were read and approved.

The Minister of Finance offered for approval a Resolution reducing reals and half reals as well as sixpences to the value of Dimes - approved.

The Minister of Finance stated that the balance in the Treasury amounted to $205.762.02¢

The Minister of Foreign Affairs informed the Cabinet that the British Commissioner had inquired officially if the U.S.S. Lackawana was, as reported, to remain permanently stationed at Honolulu, to which enquiry he had replied that no such official information had been received by His Majesty's Government who, on the contrary, had good reason to believe that such would not be the case

The Minister of Finance submitted a report from the Chamber of commerce on the list of articles they would recommend to be ~~offered~~ freed from duties in exchange for the admission of Hawaiian produce free of duties in U.S. ports. Report received and answered.

The Chief Justice, present by invitation, reported upon his mission to the U.S. in 1864. and upon the assurances then received by him that the American Government would be willing to open negotiations for a Reciprocity Treaty as soon as the war should be over. He stated moreover that, in his opinion the negotiations would meet with a good deal of opposition from those who had opposed the Reciprocity Treaty with Canada and that the Treaty, if carried, would be so after a pretty hard struggle; did not believe that the duties on Sugar would be abolished. As to the result of the Treaty the Chief Justice was decidedly of opinion that, if secured, it would be of great advantage to the Kingdom. In regard to the mode

of negotiation, he thought it would be better to negotiate in Washington rather than here.

On motion of the Minister of Foreign Affairs the question was postponed for further consideration.

On motion of the Minister of Finance it was Resolved: that the Minister of the Interior be authorized to pay to T. C. Heuck $600. due him for extra services rendered as Secretary of the Board of Health.

The Minister of the Interior submitted the contract with the P. C. Mc. Nn Co. returned signed by the President of the said Company.

The Attorney General was instructed to prepare a report on Charters for Companies.

The Minister of the Interior reported having received application from Messrs Reed and Richardson for lands in the District of Kau, for which they offer $1.00. an acre. Offer declined.

Petition from some natives for land on Kauai - granted.

Petition to lease the balance of Gov.t lands on Lanai for $300. granted for 15. years.

A receipt signed H. Sheldon was produced for land in S. Kona, the party holding it proposes to purchase at 0.25¢ an acre. Offer accepted.

The Attorney General reported sentence passed on 2. natives in Kona.

Meeting adjourned at 2. P. M.

C. de Passigny

Hon. Secy. of the Cabinet.

1867.

Cabinet Council at Government House Thursday, March 7th at 12. Noon.

Present:

His Majesty the King - presiding.

Messrs. E. de Varigny
C. C. Harris
J. H. Wilkins
R. W. Hutchison

The Attorney General stated that the two natives sentenced to death for the murder of Clark on Hawaii desired advised by their counsel that they should be pardoned; that, under that impression dangerous to themselves and to their salvation they persistently refused to listen to the Clergyman who attended them. He therefore enquired if it would not be well to advise His Majesty to sign the warrant of death and thus remove that conviction. Suggestion approved.

On motion of the Minister of Finance the Land Commissioners were instructed to refer the case of water rights in Waikiki to the Attorney General for investigation.

The Minister of Foreign Affairs stated that he had been informed of the departure from Washington, of Capt. E. Belle. Mc Cook. The application of Capt. Wm Reynolds for an audience from His Majesty was discussed, the Ministers recommending that the audience be granted. His Majesty postponed his decision.

After discussion on the question of the negotiation of a special Reciprocity Convention with the United States, the Minister of Foreign Affairs moved the following Resolution:

Resolved: that the Minister of Finance be instructed to proceed within the shortest delay as possible to San Francisco, there to ascertain the views of the California Government and merchants, as well as of the Pacific States in regard to the negotiation of a Reciprocity Treaty with the United States, and, if satisfied of the support of said States, and that the negotiation of said Treaty at Washington could be undertaken with propriety and fair chances of success, so to inform His Majesty's Government and to proceed to Washington then to negotiate as Envoy Extraordinary and Minister Plenipotentiary of His Majesty.

Discussed and approved.

Meeting adjourned at 4. P. M.

E. de Rigny

Hon. Secy of the Cabinet.

1867.

Cabinet Council at the Fort House
Saturday, March 16th at 11 A. M.

Present:

His Majesty the King presiding
Messrs A. P. Hutchison
C. C. Harris
J. H. Phillips
C. de Varigny

The Minister of the Interior reported the sale of a piece land in Nuuanu Valley to H. A. Widemann for $175. (V. p. 29).

His Majesty informed the Cabinet of the pecuniary difficulties under which H. M. Queen Kalama was laboring and asked if some assistance could not with justice be granted to her. After consideration it was:

Resolved. That in view of the pecuniary embarrassment under which H. M. Queen Kalama is now laboring, and of which His Majesty has made His Cabinet cognizant, the Cabinet hereby authorizes the Minister of Finance to pay, from the Public Treasury, to H. M. Queen Kalama, the sum of two thousand dollars a year from the 1st of January 1867, in monthly payment, the members of this Cabinet hereby making themselves jointly and respectively responsible for the amount paid, in case the next legislature should refuse to vote the permanent settlement to be applied for for the benefit of Queen Kalama.

Passed unanimously.

Adjourned at 3 P. M.

C. de Varigny

1867.

Cabinet Council at Colonial Palace
Monday, March 25. at 12. Noon.

Present:

His Majesty - presiding
Ms. Ms. C. de Varigny
F. W. Hutchison
C. C. Harris
J. H. Phillips.

The Minutes of last meeting were read and approved.

The Minister of Finance reported cash in Treasury: $ 141. 352. 25¢

The question of the vacancy occasioned by the death of Judge G. M. Robertson was examined and postponed till next meeting.

The Minister of Foreign Affairs was instructed to draw up the powers and instructions for His Ms's Envoy Extraordinary to Washington.

A mortgage from C. J. Hopkins to his late Majesty, was, on the advice of the Attorney General, returned to His Majesty to whom, in his opinion, it legally belongs.

Adjourned at 3. P. M.

C. de Varigny
Hon. Secy. of the Cabinet.

1867.

Cabinet Council at Iolani Palace
Thursday, March 28. at 12. Noon
Present.

His Majesty the King - presiding
The Chief Justice, by invitation
M. M.

C. C. Harris
F. W. Hutchison
C. C. Harris
J. H. Phillips.

Resolution passed rectifying a mistake in regard to two lands called Homai Kano'a and Halaula.

His Majesty expressed a wish to hear the views of the Chief Justice as to the appointment of an associate Judge of the Supreme Court.

The Chief Justice after expressing his satisfaction for the opportunity this afforded him of expressing his opinion, suggested that Judge Davis be promoted to the seat left vacant by J. M. Robertson and that J. Montgomery be appointed second associate Judge.

The Minister of Foreign Affairs seconded the suggestion of the Chief Justice, which was strongly opposed by C. C. Harris, Minister of Finance.

After a long discussion the Cabinet adjourned at 3. P. M.

C. C. Harris
Hon. Sec. of the Cabinet.

1867.

Cabinet Council at Iolani Palace
Friday, March 29th at 12. Noon.
Present:
His Majesty the King presiding.
Hon. W. F. Hutchison
J. H. Phillips
C. C. Harris
C. de Varigny.

The Minister of Foreign Affairs submitted to His Majesty's approval and signature the documents and papers necessary to the mission of C. C. Harris.

It pleased His Majesty to approve of and sign the same.

The Attorney General was requested to act as Acting Minister of Finance.

The Attorney General moved as follows:

Resolved: That the Acting Minister of finance be, and he is hereby authorized to expend from time to time a sum of money not exceeding ten thousand dollars in payment of all expenses incurred or to be incurred by the Minister of Finance in his capacity of Envoy Extraordinary and Minister Plenipotentiary to the United States, and to draw all necessary warrants upon the Treasury, for which several acts the Members of this Cabinet will assume all responsibility if the Legislature should fail to make the necessary appropriation therefor.

(Signed by all the Members.

In regard to the pending claim between C. C. Harris and the Interior Dep.t, as to the Harris premises on the Esplanade, it was agreed, after discussion and examination to consider claims on both sides as null and void.

C. de Varigny
Hon. Sec. for the Cabinet.

1867

Cabinet Council at Iolani Palace
Wednesday, April 10th at 11. A. M.
Present.
His Majesty the King - presiding
M. M. C. de Varigny
J. H. Phillips
F. W. Hutchison.

The Attorney General submitted a private letter received by him from Admiral Thatcher in regard to the Lackawanna, suggesting that direct and official application be made for her recall to the Secretary of State.

The Minister of Foreign Affairs submitted the draft of a dispatch, No. 17. to His Majesty's Charge d'Affaires in New York, to the Acting Charge d'Affaires of the United States. The same was approved.

The Minister of Foreign Affairs submitted a dispatch from H. M.'s Consul General in China, and reply - Same was ordered for publication.

It pleased His Majesty to grant a leave of absence to the Minister of Foreign Affairs.

Adjourned at 1. P. M.
C. de Varigny
Mon. Secy of the Cabinet.

1867

Cabinet Council at Iolani Palace
Tuesday, April 16th at 12. Noon
Present:
His Majesty the King - presiding.
M. M. J. H. Phillips
F. W. Hutchison
C. de Varigny.

The Minister of Foreign Affairs submitted the reply of the Act. Charge

d'Affaires No. 15. and his answer to the same which was approved. The Minister of Foreign Affairs was further instructed, after discussion, and on the motion of the Attorney General to prepare instructions for His Majesty's Chargé d'Affaires in New York, ordering him to go to Washington, at the expense of His Government, for the representations to be made in regard to the Lackawanna, and ordering him to act with all necessary promptitude.

Adjourned at 3. P. M. till next Thursday at 12. Noon.

C. de Varigny
Hon. Sec. of the Cabinet.

1867.

Cabinet Council at Salon Palace Thursday, April 18th at 12. Noon
His Majesty the King presiding
Mr. Mr. C. de Varigny
F. W. Hutchison
J. H. Phillips.

In conformity with the orders given at the last Council, the Minister of Foreign Affairs submitted his draft of a despatch to His Mj's Chargé d'Affaires in New York and another to H. Mj's Envoy Extraordinary to the U. S. These were discussed, amended and approved (No. 4., April 19. 1867. to J. U. F. Odell, and No. 5., April 19. 1867. to C. C. Harris.

On motion of the Minister of Interior it was

Resolved: That the Minister of Finance be authorized to pay to the order of the Minister of Foreign Relations a sum not to exceed three thousand dollars for the expenses of the Universal Exhibition in Paris, incurred by H. Mj's Chargé d'Affaires, Wm Medtin. Approved.

Adjourned at 2 P. M.
C. de Varigny
Hon. Secy. of the Cabinet.

1867.
Cabinet Council at Iolani Palace
Tuesday, July 9th at 11 A. M.
Present:
His Majesty the King presiding
M. M. J. H. Phillips
C. de Varigny
F. W. Hutchison

The Minister of Foreign Affairs informed H. M. of the desire of the Minister Resident of the U. S. to have an audience from the King, to which He assented.

The Minister of Foreign Affairs was instructed to inform Mr. C. C. Harris that his interference with the orders transmitted to H. M's. Chargé d'Affaires Mr. J. in regard to the "Lackawana" was disapproved of; to advise him that the Treaty of Reciprocity was now under the consideration of the Cabinet.

The Acting Minister of Finance made an exposé of the situation of the Treasury and complained of the state of affairs there as left by Mr. C. C. Harris and of the difficulty of closing the accounts with Mr. W. L. Green.

Adjourned at 3 P. M.
C. de Varigny
Hon. Secy. of the Cabinet.

1867.
Cabinet Council at Iolani Palace
Wednesday, July 31. at 12. noon
Present:
His Majesty the King - presiding -
J. H. Phillips,
C. de Varigny.

The Attorn. of For. Affairs was instructed by the King to act as Minister of the Interior during the sickness of the Minister, and further to inform Mr. C. C. Harris of the acceptance of the Treaty and that his mission was terminated. The Schedules of the Treaty were ordered for publication.

C. de Varigny
~~Hon. Secy. of the Cabinet.~~

1867.

Cabinet Council at Iolani Palace
Friday, August 30th at 10. A. M.
Present:

His Majesty the King - presiding.
H. H. Mr. Kekuanaoa
C. de Varigny, R. W. Hutchison, J. H. Phillips.

The Minister of Foreign Affairs submitted the draft of the Opening Speech of His Majesty, for the Extraordinary session of the Legislative Assembly. It was approved, after discussion.

C. de Varigny
~~Hon. Secy. of the Cabinet.~~

1867.

Cabinet Council at Iolani Palace
Monday. September 30th at 11. A. M.
Present:

His Majesty the King - presiding
C. de Varigny, R. W. Hutchison, J. H. Phillips.

The Minister of Foreign Affairs submitted to His Majesty's signature the ratification of the Treaty of Reciprocity with the United States.

The Minister of the Interior was authorized to dispose of a lot in Beretania St. to Mr. Smith, for $500

C. de Varigny
~~Hon. Secy. of the Cabinet.~~

1867.

Cabinet Council at the Government House
Thursday, November 14. at 11. A. M.

Present:

C. de Varigny - F. W. Hutchison - J. H. Phillips -

The Minister of the Interior submitted to the Cabinet the draft of an agreement to be entered into by himself on behalf of His Hawaiian Majesty's Government with the Hawaiian Steam and Inter Island Navigation Company. The said agreement being found, in all points, conform to the views expressed by the members of the Cabinet, they advised the Minister of the Interior to sign the same.

C. de Varigny
Hon. Secy. of the Cabinet.

1867.

Cabinet Council at Iolani Palace
Monday, December 2d. at 12. Noon.

Present:

His Majesty the King - presiding.
J. H. Phillips, F. W. Hutchison, C. de Varigny -

It pleased His Majesty to approve of the action of the Cabinet at its last meeting.

The Minister of Foreign Affairs submitted the draft of his Despatches making overtures to Russia for the negotiation of a Treaty to be substituted to those now existing with Bremen and Hamburg, and denouncing the said Treaties. These were approved.

The Attorney General recommended Mr. Gillis as an Associate Judge in place of G. M. Robertson deceased. This recommendation was approved and the Minister of Foreign Affairs was instructed to write to Mr. Gillis and to tender to him the appointment on behalf of His Majesty.

C. de Varigny
Hon. Secy. of the Cabinet.

1867.

Cabinet Council at Iolani Palace
Monday, December 9th at 12. Noon
Present:

His Majesty the King presiding
Messrs R. W. Hutchison,
C. C. Harris
J. H. Phillips.

The Minister of Foreign Affairs submitted his despatch No. to Mr. C. C. Harris, reiterating, as ordered to do by the Cabinet, the instructions relative to the "Lackawanna". The same was amended and approved.

C. C. Harris
Hon. Secy. of the Cabinet.

1868.

Cabinet Council at Iolani Palace.
Thursday, January 2d at 11. A. M.
Present:

His Majesty the King presiding
C. C. Harris, R. W. Hutchison, J. H. Phillips.

The Minister of the Interior submitted the following applications:

From C. P. Ward for the purchase of a piece of Govt land called Papakolea situated on Waikiki Plains, mauka of the upper road and bounded by the Punahou Fence and the Metcalf road to Manoa

Application declined for the present.

From Mr. W. Lande Jones for lease of the land of Paauilo, District of Hamakua, Island of Hawaii for the term of fifty years or otherwise as may be conceded, at a rent not to exceed ~~Two~~ hundred Dollars but that he would prefer to purchase the whole land at a fair valuation.

Application declined.

From C. W. Spencer at Kau, Hawaii, for lease of the lands of Mehoai 2d, Waiapua and the two Kexas for a term of fifteen

years at a yearly rent of One hundred and ten dollars, said lands containing about 800 acres.

Application declined.

From Messrs Janion and Green for lease of Government land at Honoipu, District of Kohala, Hawaii; containing about 1/4 acre, for a term of years

Application declined, but the Woman now in the house will be instructed to receive goods for embarkation or that have been disembarked from vessels, into the house built on the land for that purpose, or to leave the place altogether.

C. de Varigny
~~Hon. Secy. of the Cabinet.~~

1868.

Cabinet Council at Iolani Palace
Friday - February 21. at 11. A. M.
Present:

His Majesty the King - presiding
Messrs R. W. Hutchison
L. H. Phillips
C. de Varigny -
C. H. Allen -

The Minister of Foreign Affairs submitted to His Majesty's signature the Commissions for new Agents at Hong Kong, Batavia, and Lima.

The Attorney General reported that Mr Gillis regretted not to be able to accept the offer made to him It was agreed that Messrs Allen and Phillips should act as a Committee with powers to secure some one from abroad.

The Minister of the Interior reported upon and the Cabinet confirmed the following Land sales:

(V. next page)

Numbers	Purchasers.	Agents	Islands
2726	J. A. Simmons	D. B. Lyman	Hawaii
1.634.	A. Liholiho	" "	Oahu
904	Kapulema	" "	Hawaii
2982	Kalauwaa	" "	"
2983	Kaaibili	" "	"
2984	Napela	" "	"
2999	Niau	" "	"
3000	Kupoho ma	" "	"
3018	K. Meakaopio 9th 1865.	" "	"
2996	Kanuia	J. Fuller	"
2985	Nakakuhua	J. C. Wilkie	"
2964	H. W. Greenwell	" "	"
2961	Kapai	" "	"
2987	Kunukau	J. Richardson per	Maui
2988	Kuakine	J. B. P. Nakuolelua	"
2989	Kamaaole	" "	"
2990	Kawelo	" "	"
2991	Kalaunuiohua	" "	"
2992	Napaki	" "	"
2993	Kekuhaulia	" "	"
2994	Do	" "	"
2995	Kauweai	" "	"
3002	Kamanele	" "	"
3014	P. Kawelo	" "	"
3015	Kaaoaopa	" "	"
3016	Kanekoa	" "	"
3017	P. Ymat	" "	"
3028	Kabuenoa	" "	"
3029	Nakuinuma	" "	Lanai
3030	Kapelaumoku	" "	"
3031	Koaina	" "	"
3032	Pali	" "	"
3033	Keamo	" "	"
3045	W. Beder	" "	"
3046	Kamalii	" "	Maui
3047	Kamakaholo	" "	"
3048	Keamoo ma	" "	"
2973	F. S. Lyman		Hawaii

Lands	Districts	Acres	Dollars
A			
Amanu	Hamakua	253	$ 253
Meokuumeume	Ewa	214	150
Papaaloa	Hilo	104. 9	104. 90
Abalanui	Puna	1. 30	5
Kalapana	"	208	17
Meoaula	Kau	50. 15	29
Opea	Hilo	100.	80
Kanebiki	Puna	31	11. 62
Kolo	S. Kona	458	119. 50
Kuilei 2d	Hamakua	27. 50	20. 62
Kalukala	S. Kona	0. 32	3.
Kabului	N. Kona	3. 20	3. 20
Kanaio	Honuaula	53. 66	53. 66
Luakaihua	Kabikinui	13. 70	15. 75
Haow	Hana	0. 76	3.
Wakiu	"	6 88	6. 87
Pohoula & Lole	Kaupo	5. 70	5. 70
Alaeiki	Kepakulu	4. 87	4. 87
Kanaio	Honuaula	98. 3/4	103. 75
"	"	50. 3/4	50. 75
Popoloa	Kipakulu	64. 64	64. 64
Haow	Hana	21. 20	36
Wakiu	"	24. 10	24. 12
Kapokue	"	11. 39	11. 38
Kawaipapa	"	0. 65	3.
Hokuula	Kula	104.	104
Alaakua iki	Kaupo	3. 06	
Kalulu	"	236.68	236. 75
Pawili		32. 06	22. 12
Kealia		99. 07	99. 12
Kaunolu		29. 06	29 06
"		20. 85	20. 88
"		128.	128
Papapahioole	Honuaula	23. 20	23. 20
Pukuilua	Hana	14. 76	14. 75
Paehale	"	43. 40	43. 50
Kaubukuula	Kau	330	220.

Numbers	Purchasers	Agents	Islands
3019	Kaaipuhu	H. L. Sheldon	Hawaii
3020	Naaimokoki	"	"
3022	Kalua	"	"
3023	Kekepano	"	"
3037	J. Kuabao	"	"
3038	Keliikuli	"	"
3039	Kiekie	"	"
3049 B	Keliiuna	"	"
3051	Palanoholo	"	"
3052	do	"	"
3054	Kaiwa Kekoi	"	"
2986	E. Hackfeld Com.	in lieu	Maui
2997	do		Oahu
2998	W. Ap Jones		Maui
	Lot on Valley Road	Kamp Estate	
	House & Lot Hotel street		
3021	Kahawahu ma	J. T. Gower	Maui
3038	Kuauli	" "	"
3013	Kaawehakuma	" "	"
3011	Kapawaa	" "	"
3012	Moki	" "	"
1168	Nakoaiku ma	" "	"
3055	J Kua	" "	"
3066	Meanu	" "	"
3026.	H. A. Wideman	August 24 1866.	Oahu
3050	do do	February 19. 1867.	"
3021	Kekaa	~~Meolokai~~	Meolokai
3025	W. C. Lane	~~Oahu~~	Oahu
3024	M. Kekuanaoa		"
2804	Kakula		Hawaii
3040	Kamalama		Meolokai
3044	C. R. Bishop		Oahu
3049	J. M. Smith		"
3053	Kaaimanuma		"
3057	W. J. Smith		"
2709	L. Haalelea		Meolokai
3035	Meaulili		Kauai
3036	H. J. Nana		"

Lands	Districts	Acres	Dollars.
Kapalaalaea 2d	N. Kona	96. 1/4	47.12
Paboehoe 4	"	32 1/2	16.25
Elapaio	"	30. 80	14.
Meilolii	S. Kona	117. 1/2	58.75
Kaliki	"	264. 1/2	71.
Hopuloa & Meilolii	"	86. 15	48.25
Omokaa	"	66. 1/2	33.25
Papa 1.	"	701.	75
Kauholi	"	79. 20	40
Kapaalea 2d	N. Kona	35. 20	18
Okoe 1. & 2	S. Kona	681. 1/2	
Waiopae		792. 75	297.
Waikiki		0. 88	120
Meaali	Lahaina	0. 70	20
			202.25
			704.50.
Meokai	Hana	192.47	192.47
Haou	"	59	59.
Kahalawe	"	53. 38	168. 86
Kawaipapa	"	47. 80	47. 80
Lapalapaiki	"	13. 67	13. 67
Omaopio	Kula	2. 94	14 70
Waianu	Koolau	2. 22	22.20
Hopenui	"	107.	107.
Puunui		0. 255	20.
Kawanamakoa		31. 77	175
Kawaikapu		1. 75	20
Waiono	Koolauloa		
Honolulu		290.30. feet	1
Laaloa	Kona	104.	52
Kawaipapa		2. 34	20
Honolulu		1. 03.	200
"			1000.
Puheemiki	Koolauloa	45. 38	230
Honolulu		0. 27	500
Kahanui		1.158. 48	1.757.60
Waioli		0. 42	7.
"		2. 27	45.

Number	Purchasers	Agents	Islands
3068	Meamuia		Kauai
3069	Nakulala		"
3070	Hulukulu		"
3071	Kaieio		"
3072	Nihoa		"
3027	Heneu		Hawaii
3001	Kaneikalau		"
3003	Huleka		Molokai
3004	Kamakaheki		"
3005	Kakiko		"
3006	Kalamakiai		"
3007	Nakoa	Leper settlement	"
3008	Kanaka Okai		"
3009	Kaku		"
3010.	Kanui		"

Lands	Districts	Acres	Dollars
Kalalau		6.61	31.
"		90	10
"		24.05	32.37
"		1.44	14.25
"		11.20	33.60
Kalava	N. Kona	172. "	86.
Honopueo	N. Kohala	50	50
Kaimalu		30.67	1.
"		6.24	1.
"		10.	1.
"		13.	1.
"		4.29	1.
"		4.20	1.
"		6.38	1.
"		10.31	1.

The Minister of the Interior submitted an application from Kekauka for 220. acres of land in N. Kona. The Cabinet authorized the grant.

It pleased His Majesty to signify his intention to convene the Legislature for the 18th of April next.

C. De Varigny
~~Hon. Secy. of the~~ Cabinet.

1868.

Cabinet Council at Foreign Office
Monday, March 2nd at 11 A.M.

Present:

His Majesty the King - presiding
Mr. Mr. L. H. Phillips
R. W. Hutchison
C. De Varigny.

A message having been received from the Captain of the "Lackawanna" to the effect that he was about to proceed to Hilo, it was agreed not to prevent his going, the Cabinet having reason to believe that his departure was final. It was decided however to send instructions

to the authorities in His bow to act towards the Captain and not to permit the landing of the men on shore.

The Minister of Foreign Affairs was instructed to cause the Treaty with Switzerland ready for His Majesty's ratification.

C. de Varigny
Hon. Secy of the Cabinet.

1868.

Cabinet Council at Iolani Palace
Saturday, April 11. at 11. A. M.
Present.

His Majesty the King - presiding -
M. M. L. H. Phillips
F. W. Hutchison
C. de Varigny.

The Report of the Acting Minister of Finance was read, discussed and approved.
The appropriation Bill was read, discussed, amended and approved.

Adjourned at 2. P. M.
C. de Varigny
Hon. Secy of the Cabinet.

1868.

Cabinet Council at Iolani Palace
Monday, July 6th at 12. Noon.
Present:

His Majesty the King - presiding
M. M. F. W. Hutchison
L. H. Phillips
C. de Varigny.

The Minister of Foreign Affairs submitted to the approval of His Majesty and Cabinet the documents necessary to his mission to Europe, together with the general instructions.

These documents were read, discussed and, after approval, signed by His Majesty.

The King signed the Treaty with Switzerland.

The Minister of Foreign Affairs was instructed to cause to be declared her powers for the negotiations with the Confederacy of Northern Germany.

It was agreed that the Minister of the Interior would take charge of the Department of Finance until the return of His Ex. C. C. Harris, and that the Attorney General would discharge the duties of Acting Minister of Foreign Affairs until the return of C. de Varigny.

A notice to that effect, to be published by authority was read and approved.

His Ex. J. H. Phillips submitted the following resolutions:

Resolved: That the sum of twenty five hundred is appropriated, out of the special fund for foreign Missions, to defray the expenses of the mission of the Minister of Foreign Affairs to Europe. Approved.

Resolved: that on his return, the Minister of Finance be invited to assume the duties of Secretary of the Cabinet.

The Minister of the Interior was instructed to place at the disposal of the Minister of Foreign Affairs the amount transmitted to Europe for the purchase of Palace furniture.

The application of Holou for purchase of a piece of land was granted.

The application of Kaukai for 600. acres of land in Hamakua for $50. a year for 5. years was granted.

On the application of Kabinui and H. Kapelino, the Minister of the Interior was authorized to treat on the best terms.

After hearing the report of the Attorney General on the conduct of Judge Davis on Maui, the Cabinet advised His Majesty to demand his resignation from Judge Davis.

In regard to the Subsidy, the Attorney General and the Minister of the Interior

were instructed to draw up a form of contract to be submitted to the Cabinet.

Adjourned at 2. P. M.

C. de Varigny
Hon. Secy of the Cabinet.

1868

Cabinet Council at Iolani Palace
Thursday, July 9th at 12. Noon

Present:

His Majesty the King - presiding.
His Honor the Chief Justice
Mr. Mr. L. H. Phillips
F. W. Hutchison
C. de Varigny.

The King informed the Cabinet that he had received the resignation of the 2d Associate Justice of the Supreme Court and had convened the Cabinet to consult about filling up the vacancy.

The Chancellor named Mr. Mr. Bryde, Circuit Judge on Kauai

The Attorney General named Mr. Lawrence Circuit Judge on Maui.

Messrs Hutchison & de Varigny voted in favor of Hon. D. Mr. Bryde.

After discussion the name of J. W. Austin was introduced by the Chief Justice and received the unanimous support of the Cabinet.

His Majesty expressed his desire to consider the suggestions made and the reasons presented.

Adjourned at half past two.

C. de Varigny
Hon. Secy. of the Cabinet.

90

1868

Cabinet Council at Iolani Palace
Tuesday Sept^br 29th —

Present
His Majesty the King - Presiding
F. W. Hutchison.
S. H. Phillips —

Resolved - That the Widow of the late Honble and Reverend Lorrin Andrews - be permitted to draw the amount of money, which would have been due to her late husband - up to the close of the fiscal year - to wit - to March 30th 1869. And that the Minister of Finance - advise her that she may draw the same - in installments or at once - as may appear to her convenient —

Chas. C. Harris —

— — — —

Cabinet Council
Saturday Oct^br 3d — at Iolani Palace —
Present
His Majesty the King - Presiding
F. W. Hutchison
S. H. Phillips -
Chas. C. Harris
Mr Harris had arrived from the United States, at 2 o'clock - Sept^br 29th

His Majesty - observed that he had called the Council for the purpose of considering the propriety of appointing a Minister Resident for the United States. That he had been for some time of the opinion that such an appointment should be made for the security with which our Relations were necessarily most important and that in view of the fact that the Reciprocity Convention was still pending, he deemed it especially important to appoint one now that he might assist - as far as possible to

secure success for that measure —

Mr Hutchison thought that such an appointment would be desirable, and that the remuneration was the chief difficulty — The Legislature had — by a very decided vote, refused to place a Salary for Minister Resident, in the Appropriation Bill — and likewise the Committee had in a report to the Assembly expressed a hope that items for which Bills of Indemnity must be asked, would in the future, be as rare as possible — when reporting on items for which Bills of Indemnity were asked. This report had been approved by the Assembly —

Mr Phillips expressed himself as concurring in the thoughts expressed by the Ministers of Interior — but that he was willing to take the responsibility, if upon reflection, it should appear desirable in a sufficient degree, that the appointment should be made

Mr Harris suggested that there were some funds — balance of the Appropriation for the Mission to the United States — which he had just returned still at the disposal of the Cabinet

After much conversation upon the prospects of the treaty, and the incidents and facts of the Mission connected therewith — it was resolved — His Majesty having remarked that Hon. Hesse H. Allen, Chief Justice was willing to undertake the duties of such an Office — it was proposed —

That this Council do advise His Majesty to appoint the Hon. Hesse H. Allen to be Minister Resident to the United States — and that the subject of the manner of providing a remuneration of

Five Thousand Dollars per annum
be taken up at a subsequent meeting

Chas. C. Harris
Sec - pro Tem

Cabinet Council; Iolani Palace
October 6th 1858

Present
His Majesty the King presiding
Messrs Hutchison, Phillips & Harris
The consideration of a Minister Resident in the United States and the manner of providing his remuneration was resumed

Mr Phillips said that he was advised by the Minister of Finance, that some money still remained unused, by him, - so that so much as may remain unused may be devoted to this purpose

His Majesty said that Judge Allen will probably go if the Cabinet will say that they will see to it - that he has his salary paid -

Minister of Finance remarked that he observed that $15000 had been appropriated by the Legislature for foreign missions, and that and that $2500 had been withdrawn - thus leaving $2500 - which may be available

Minister of Interior thought that this sum would be needed for Office Expenses, Foreign Agents

Attorney General - regarded the Mission as a most important one - and therefore he is willing to take the responsibility

Minister of Interior
But the Legislature have already by two distinct votes - disposed

their voices to this - first by rejecting the item, when placed in the Appropriation Bill, and secondly when the Finance Committee reported that they would recommend the passage of a Bill of Indemnity for money paid Her Majesty Queen Kalama, but hope that there would be no more expenditures, except in a manner authorized by the Constitution

His Majesty - Yes - But this is not a like case There was much reason for looking upon an Expenditure of that kind - with jealousy - I do not blame any one for doing it - but this appears to be for the public Good -

The following Resolutions were then put and concurred in -
Resolved - That the Maintenance of a permanent Legation, in the United States is of great importance

Resolved that Elisha H. Allen - the Honorable Chief Justice of the Kingdom is a most suitable person, for that post, and that it would be most advantageous to His Majesty to secure his services, for this purpose

Resolved: That a Salary of $5000 per annum, would be a proper one, for such an office

Resolved: That the Cabinet will upon their personal responsibility, assure Judge Allen of the remuneration, in the foregoing resolution indicated, in case the next Appropriation Bill may be passed upon, and will use, both individually and collectively, their efforts to secure Corresponding Appropriations hereafter -

Attorney General.

The Governor of Kauai, has nominated Mr Hife, for the Office of Sheriff of ~~Oahu~~ Island - in place of Thomas H Marshall deceased - He hardly knew of the qualifications of Mr Hife - but ~~He~~ he was now discharging the duties, as far as they could be discharged without having a regular commission - and he (the Attorney General) had received excellent reports of him - and had no other name to suggest to the Governor - thought that he would neither approve or disapprove, for a short time - -

The Cabinet advised - to that effect -

Minister of Interior

There is a debt of $244, two hundred and forty dollars, or thereabout - on the books of the Interior department against Rev Mr Johnson late of Kauai, deceased - Mr Johnson was formerly land agent, on Kauai, Mr Pease - (Wm H) was then Government land agent - for that Island, at the same time - and was accustomed to receive money to be carried to Honolulu - Mr Pease's account was not very clear and it was claimed by Mr Johnson, that he had paid it - Mr Johns no receipts but it appeared to be the custom to give the money to be transported without taking any receipt - The Minister has no doubt, from the character and circumstances of deceased, that the money was paid - The accounts of long standing and the widow of deceased in straitened circumstances

The Minister was advised that the account should be written off -

The Minister of Finance -

Said that it was his intention to have all vessels, that were under the Hawaiian flag, abroad, assessed, for the purpose of taxation to those in whose name, such vessels are registered —

Approved —

The Minister for Foreign affairs, was desired, to issue circulars, in emphatic language, to all Consuls, prohibiting the issuing of provisional Hawaiian Registers, to any vessel except on the application of bona fide Hawaiian subjects, or their agents — and when such provisional registers shall be issued, that it shall be well ascertained that such vessels, so to be registered, shall be wholly owned by a subject or subjects of this Kingdom, and is intending to proceed to some Port, in this Kingdom; And further, that no such provisional Register, shall be renewed by any Consul, so granting it, after the Expiration of the time thereof; And further, that no Consul shall recognise the Register of any other Consul, after the Expiration of the time for which such Register was given; And the failure of the Master of such vessel, to repair to a Port within this Kingdom, for the purpose of Registering his said vessel, as by law required.

Charles C. Harris.
Sec. of Cabinet Council
pro tem —

Cabinet Council - Iolani Palace
October 12th 1868
Present
His Majesty - the King - presiding
Messrs Hutchison, Phillips & Harris

His Majesty stated, that he had explained to Judge Allen, the views entertained by the Cabinet of the desirableness of having some one at Washington, who would be able to keep alive the interest of Senators in the Reciprocity Treaty - and tendered to him (Judge Allen) the position of Minister Resident - at Washington - But that it seemed that Judge Allen had given up the idea of it - and had expressed himself as unable to depart, within so short a time - But that he would go, on any special service, if it should be thought desirable

Mr Phillips thought that it would be very objectionable for the Chief Justice to be absent from the Bench - Observed that he understood that Mr Austin was not about to remain for any length of time in the position of Associate Justice - and that such an absence as would be involved in the Chief Justice temporary absence - would be to deprive the Court of its efficiency -

His Majesty understood that the determination of the Chief Justice took him out of the question; and remarked that it was therefore necessary to look in some other direction - After much general conversation on the subject His Majesty desired that gentlemen would give the matter their consideration - and meet-

him again - at the Palace - on Wednesday at 12 O. Clock

Charles C. Harris
Sec. of Cabinet pro tem.

Cabinet Council

Oct. 13 - Iolani Palace

Present - His Majesty - the King presiding
Mess. Phillips - Hutchison and Harris

Mr Harris presented the thanks of Mrs Lorin Andrews - to His Majesty, for that His Majesty was pleased to order that the temporary provision - of the late Honorable and Reverend Lorin Andrews should be continued to her until the end of the current fiscal year -

The minutes of the last four meetings were read and approved - During the reading His Majesty the King referred to the remarks made by the Minister of Interior - on October 6th recorded at page 97th near the top - and at the close of the reading, desired that the following remarks should be spread upon the minutes of this meeting, as expressive of his own views - "Some fund is generally "placed at the disposal of Governments - to "meet unforeseen contingencies - This fund "is sometimes in the form of a secret "service fund for some purposes - or the "incidentals of the several departments "are made sufficiently large to meet "any reasonable expense - It is impossible "that every necessary expense for the bi-"ennial period, should be foreseen, with

"absolute accuracy - So long therefore as the
"Legislature may withhold such an appro
"priation - it will be necessary for Govern-
"ment - more or less frequently, to use money
"not appropriated, and trust to the good
"sense, and sense of justice of the Legislature
"to recognise the propriety of such expenditure
"and legalize the same"

The subject of the last meeting to wit the sending of a duly accredited and authorized Agent to the United States was then resumed

The Minister of Interior remarked that it seemed to him that the idea of sending a Minister Resident should be abandoned in as much as no suitable person seemed to be available

The Attorney General - remarked that he still continued of the opinion that Judge Allen - could not be sent on a temporary mission - i.e. on a Mission which would involve the idea of his still retaining his position as Chief Justice and thereby leaving his seat, on the Bench vacant during his absence - He thought that there would be great propriety in offering such a place to the Honble Charles R. Bishop - and if he should decline, he (the Attorney General) did not know of any person - to whom His Majesty could turn -

That we ought to consider the Minister of Finance and that the interest of the Public would be subserved by his returning to Washington -

His Majesty asked Mr Harris to state what were his chief objections to returning - whereupon Mr Harris stated at considerable length - the reasons which - rendered it - desirable to him to be -

& also in view of the present revolutionary condition of Japan.

-main at home, and closed with the remark that notwithstanding - if His Majesty thought it expedient - to command him to return, he would do so - willingly and cheerfully - being anxious to do whatever he could for the benefit of this Government and People -

His Majesty - "When I came in, I had no settled plan, but upon the whole, I think - that I shall be obliged to ask Mr Harris to go back, though I had thought not to do so -

Mr Harris - "I shall hold myself ready to obey Your Majesty's Commands."

His Majesty then placed on the file of the Cabinet the petition of a number of business men of the Community - requesting that an Envoy might be sent to Washington to represent the interests of this Country, - in regard to the Treaty -

The Acting Minister of Foreign Affairs - Mr Van Valkenburgh - United States Minister Resident in Japan - seems to have made some representations - regarding the late emigration of Japanese to this Country - speaking of Mr Van Reed - His Majesty's Consul in that Country - as the

Consul of this Kingdom. Genl Van Valkenburg well knew that Mr Van Reed was the bonâ fide Consul of His Majesty in Japan - for this and other causes, more especially as whatever good could be done - had been done - he moved that Genl Van Valkenburgh's authority from this Government - to the Government of Japan be revoked - His Majesty so ordered - no objections being offered His Majesty then adjourned the Council

* It was ordered that this minute be cancelled - as on the opposite page - C.C.A.

Met October 15th at 12 M.

Chas. C. Harris
Secretary pro tem

October 15th

Cabinet Council Octr. 15th 1868

Present – His Majesty the King Presiding
Messrs. Phillips; Hutchison and Harris.

His Majesty This is the third adjourned meeting on the subject of an Envoy to Washington, on the subject of the Treaty – I come to the last meeting without any preconceived plan – and am still desirous of listening to any suggestions, and adopting any course that may seem best:

Minister of Interior – A thought has occurred to me – Dr Smith (J. Mott) said to me this morning that if Mr Harris should go, he would like to accompany him, and that it would in that case be necessary to supply some means of carrying on, the Govt Printing Office – He is a Member of the Privy Council, and if he is willing to go with Mr Harris I do not see why he may not be willing to go – without him – –

The Attorney General thought favorably of the suggestion.

After some conversation – it pleased His Majesty to command Dr Smith to attend, for the purpose of taking his views – on the matter – – After half an hour

Dr Smith arrived = His Majesty advised him of the subject matter, under deliberation, and remarked that it had been proposed to send him to Washington to use his efforts, in furthering the interests of the treaty —

Dr Smith remarked that it took him, entirely by surprise; that he was much embarrassed by the honor and confidence, with which he was favored —

His Majesty was pleased to say that he did not think that Dr Smith should be pressed for an immediate reply, but should be allowed time to think of it —

Dr Smith then said that if permitted he would return an answer on Saturday — the 16th

Whereupon His Majesty adjourned the Council until Saturday the 16th at (12 M) —

Chas C. Harris
Sec. pro tem. of
Cabinet Council

Cabinet Council —
Iolani Palace —
Saturday — Octr. 16th
Present — His Majesty the King Presiding
Messrs. Hutchison: Phillips: & Harris
Hon'bl. J. Mott Smith being in

attendance said that he had given the subject proposed to him, at the last meeting much reflection, and had concluded, that if His Majesty continued to think that he could be of service, in the manner indicated, though much distrusting his own qualifications, he would place himself at His Majesty's disposal.

His Majesty. "I have thought of the matter and do not see any reason to regret the suggestion. I think the appointment will be a good one---

Dr Smith then withdrew, and the subject of the manner of commissioning this Agent was taken up— and after some conversation— was adjourned to the next meeting, which His Majesty commanded should be, on Wednesday, the 21st at 12 o'clock.

Thos C. Harris
Sec. pro. temp. of Cab. Council

Cabinet Council
Iolani Palace— Octbr 20th 1868
Present— His Majesty— the King; presiding
Messrs. Hutchison; Phillips and Harris.

Minutes of the last two meetings were read and approved.

Acting Minister for Foreign Affairs read his letter to Gen Van Valkenburgh, U.S. Minister Resident in Japan, which he proposed to enclose in a letter to Mr Consul-General Van Reed, with a request that unless some matter pertaining within his (Mr Van R's) knowledge shall render it inadvisable, he should transmit it to General Van Valkenburgh— It was so ordered.

The Acting Minister for Foreign Affairs then read, his proposed letter of instructions to the Honorable T. Pratt Smith, who he proposes shall be commissioned as Chargé d'Affaires at Washington —

The Minister of Interior remarked that it was his duty to acquaint His Majesty — that a deputation of citizens had waited on him — (the Prin) That there had been no public meeting, but that the gentlemen spoke by authority notwithstanding, and had expressed to him some views, which had afterward been embodied in a statement signed by nearly all the persons who had signed the Memorial to which His Majesty had alluded, at the meeting of October 13th recorded at page 109 —

His Majesty — The Chief Justice waited on me, and observed that he feared that Dr Smith would not have time to become acquainted with Senators — That the matter was of great importance to the Community and that we ought to send forward our best man — That he was satisfied with the previous nomination, and that the remark to which he alluded had not forcibly struck his mind at the time, but that afterward in thinking of it and in connection with the Memorial and this representation, he must think that Mr Harris was the best man for the duty, and must go forward — And that in as much as Dr Smith had been addressed on the subject and had agreed to go he did not see any very good reason why he (Drs) should not go likewise — and desired that Dr Smith should be so advised —

The Acting Minister of Foreign having adverted to the proposition of Walter Murray

Gibson Esquire, that his services be employed in obtaining immigrants from the Malayan Archipelago – he, the Premier was advised to say to Mr Gibson, that if he would place his project in writing, and that it would then be submitted to His Majesty in Cabinet Council – and that unless he could reduce to writing some definite project it could not be entertained –

Council was then adjourned by His Majesty

Chas C. Harris
Actg Sec. pro tem.

Cabinet Council

Iolani Palace – Thursday
Octbr 22nd 1868

Present His Majesty the King –
Messrs Hutchison, Phillips and Harris

His Majesty stated that he had called the Council, at this unusual hour (6 A.M.) in consequence of the news received last night – that certain people, had gathered themselves together, at Koia Hawaii – near Kealakekua Bay – and located themselves on a piece of land belonging to His Highness Prince William Lunalilo – These people seemed to believe that one Kaona – who is their leader is a "prophet" – and had come into collision with the officers of the law – who were attempting to serve some process on some of them, the nature of which process is not very apparent – His Majesty deemed that prompt measures were always necessary in the case of any violent resistance of the law – For Neville the Sheriff's deputy had been killed, and the Magistrate called for assistance in sustaining the

lawful authority - He had therefore called the Council to give their advice - in order that action might be promptly taken to preserve the peace - and protect life and property, in case any disturbance should take place.

After much deliberation - it was Resolved "That One hundred and twenty men - with their arms, be immediately sent forward by the Schooners "Kamaile" and "Prince", to intercept the Steamer "Kilauea" at Lahaina and transfer - the arms and passengers, of the Schooner and Steamer interchangeably - and the Command to proceed at once, per Steamer Kilauea, to Keelakekua Bay, there to render what assistance might be necessary in maintaining the Civil authority -

It was further resolved -
That a portion of the force thus sent forward - should be drawn from the Volunteer force - say to the number of twenty or thereabout -

It was further Resolved -
That such provisions as might be ample should be put on Board for the troops, and that on their return - the surplus should be faithfully accounted for.

It was further Resolved
That it was advisable that the Attorney General should accompany the force - that he might advise the Magistrates - and that the force should be employed to sustain the Civil authority and that he (the Attorney General) might use his discretion and influence to prevent if possible, the necessity of resorting to force; and further that the Marshal of the Kingdom should likewise accompany the Attorney General, for the same purpose

Mr Hervey then begged to recall His Majesty's attention to the subject of an Agent for the next winter in Washington – He had given it his undivided thought since yesterday, and had spoken to Dr Smith about his accompanying the Minister (Mr H.) – Dr Smith had earnestly expressed his opinion, that under the circumstances, such an arrangement would not be feasible – That he (the Dr) would be willing to accompany Mr H. as a friend, and do what he could – but if he should draw a salary, reflections would be made injurious to himself and the Minister – Mr Hervey proceeded to remark that he had felt himself so much interested in the matter, that he had forborne to give any advice hitherto, but that now reflecting upon it, he was of opinion that the blows at the "Treaty of Reciprocity" had come from here – that he had gone over the ground thoroughly with those Senators, who were in Washington, during the last winter, and it is very possible that some new mind could bring to some mind new interest, whilst any one of intelligence could put the matter before the new Senators – and he was of opinion that Dr Smith could do it as well as himself – That he submitted to His Majesty whether upon the whole, it were advisable, to recall an appointment, which was in itself satisfactory to him (the King) and had been made upon due reflection; Mr H. further represented that if the Treaty should fail, it would fail from the attacks made upon it, That it would take no more than one month's time, than of another to impress those Senators whose mind had not as yet been influenced at all – Adverted to recent letters published – as having been written here – in the San Francisco Bulletin of Septr 21st

the government is short-handed here at present — the Min. of Foreign Relations — and the Attorney General ought to be much absent in the discharge of his official duties — Your Majesty's desirous of being much in Middlehai where health is very much benefited. He therefore submits that it was plain that he might be of service at home, and not so plain that he could aid the Mission more than the gentlemen selected, in view of his own efforts previously made, and of the difficulties which had been thrown in his way.

Mr Harris then withdrew, and upon his return, His Majesty said that the Ministers of Interior and Attorney General had advised to the same effect and that he was disposed to take the advice

Mr L. Harris

Hon. Sec. pro tem:

Monday Decbr 17th 1858

Cabinet Council — Iolani Palace
Present His Majesty the King
Messrs Hutchison, Phillips and Harris

Mr Phillips — for Department of Foreign Affairs said that Mons Berenger — Consul Commissioner for H. I. M. of France — had written stating that he had received authority from Paris to offer the assistance of the French Minister in Japan and that he (Mr P) had replied simply, in a general and non com-

mittal

mittal way, acknowledging the note and thanking Mr Bonanger for the politeness of the French Government, and stating that he expected to receive some further advices before giving any definite instructions —

Mr Phillips then read a letter from His Majesty's Consul in Japan, (Mr Van Reed) dated Sept. 26th 1868 and expressed some solicitude least Mr V.R's zeal might prove injurious. N.B. The letter expressed the fact that he had remained passive since the last letter, and had, on account of some personal disagreement, removed his name from the Record of the American Consul at Kanagawa — and was consequently living in Japan, now — as a Hawaiian Subject only — Mr V.R. further stated that the matter of the Emigration of Japanese Coolies to this Country, continued to be agitated, and caused him some trouble, with regard to those that had been sent — but that he had little doubt that a supply of laborers might eventually be drawn from there

Mr Harris observed that Japan was now involved in a Civil war, where two parties are struggling for Supremacy — that no Treaty made with one party, would be considered binding by the other in case that other should prevail — If the Tycoon's Party should prevail Mr Van Reed would be in favor — and his management with them would naturally be carried out — If the Mikado's — naturally their views might be much modified by assured success but it must be conceded that they would be likely to be much of the complexion of the old views touching their inter-

Witness of Mr Consul Van Reed's letter

course

course with foreign nations - Mr Van Reed says in his letter that he is "passive" - and it appeared to be written to convey information

His Majesty had some private information, or rather information from a private source, of the zeal of Mr Van Reed - and of his personal influence with persons of influence in Japan and hoped that no letters would be written to him calculated to damper his zeal, or hurt his feelings or pride

It was concluded that it would be well that a letter should be written to Mr V.R. from the board of Immigration, advising him on the present condition of the Japanese laborers, and of any matter of interest connected with them -

Mr Phillips remarked that he can write, thanking him, for his services and stating that the Board of Immigration would write.

The subject of the funeral of Her late Highness. Mataio Kekuanaoa was then taken up - His Majesty remarked that he wished the expenses to be kept within a reasonable sum

It was unanimously agreed that the funeral should be a public one - and that every external mark of the highest consideration should be shown to the deceased - as due to her memory and expected by the people

His Majesty remarked that if the coffin should be paid for - and suitable clothing for the Kahili bearers coffin bearers - and servants of the deceased should be paid for, out of the public Treasury, he should not decide any

thing farther to be done — this was concurred in.

The Minister of Finance, desired to remind His Majesty that the Commissions of the Governors of Hawaii and the Governor of Kauai had expired by limitation of time, under the Statute — and new appointments should be made — His Majesty expressed a willingness to take up the subject at once but as it was getting late in the afternoon, and each Minister had special engagements — it was deferred to be taken up — the first thing at the next meeting.

Chas C. Harris
Sec. pro tem.

Cabinet Council Dec. 30th
Present — His Majesty the King; Messrs Phillips; Hutchison and Harris
Iolani Palace

Minutes of the last two meetings were read and approved —

Mr Phillips for the Department of Foreign Affairs — observed that he had since the last meeting, received a letter from Mr Van Reed — to the effect that a duly accredited Japanese Consul had been appointed for this Kingdom and would shortly arrive; that he (Mr P) had desired Mr Van Reed to make it known to the Japanese Government that such an officer would be very acceptable, and would be treated with every consideration due to his station. This was approved.

The Minister of Finance, called atten-

tion to the unfinished business of the last meeting - the appointment of Governors for Hawaii and Kauai - His Majesty having remarked that he was desirous of bringing forward young men - yet thought that he would in accordance with advice of Council appoint the present incumbents - Commissions to be dated the day after the expiration of last Commission, appointment to be made "nunc pro tunc"

The Minister of Interior read a petition signed by Messrs Robert J. Davis, Joseph O. Carter - Keauchumakala - Kahalewai & C. B. Lyons; and - purporting to be a Committee of a meeting of Citizens held at Honolulu - on the evening of Decr 26th, desiring the removal of the Members of the present Board of Health, because they permitted the Steamer "Idaho" having on board a case of Small-pox to come along side the wharf

His Majesty desired that the Petitioners should be informed that no Reason was assigned in the Petition, or known to him why the members of the Board of Health should be removed

Mr Phillips remarked that he thought the petition worthy of answer, for that in time of pestilence, the unworthy and designing were apt to mislead those easily alarmed and ~~[illegible]~~ credulous

His Majesty desired that a proper answer should be drawn up, in accordance with these ideas —

His Majesty desired to call attention to the Quarantine Regulations - and that he would have liked that the "Idaho" should have been treated somewhat differently, but was aware that the Board of Health were unprepared with a proper place for

the patient; and therefore thought it very desirable that some permanent Quarantine ground should be designated and Hospital buildings be placed on it - and some definite Quarantine regulations should be drawn up regarding ships arriving with persons sick of an infectious disease on board - Dr Hutchinson - The Board of Health at their last meeting resolved to the effect that each Member should furnish his views of what regulations would be proper at their next meeting - day after tomorrow - and he would call attention of Cabinet to the result of their deliberations at the earliest possible day.

The Minister of the Board of Education was then called up - Mr Harris directed attention to the 2nd Section of the Act of Thursday 10th 1864 - page 38th of Session Laws, and observed that it was not absolutely necessary that His Majesty should select a President - since in the absence of the President of the Board, a Vice President pro tem. could be appointed - and therefore His Majesty might reserve that point, but as two of the Members were absent - by the decease of the President only two were left - and therefore it was necessary to make an appointment Whereupon His Majesty was pleased to nominate to the vacant membership Honorable William P. Kanakau -

His Majesty likewise spoke very commendatorily of the proficiency of Mr S. M. Kamakau in Hawaiian literature and recommended him to the Board for employment on school-books, and in such other way as he might be serviceable

His Majesty desired that water-works might be taken up - The

Minister of Interior said that the Superintendent of Public Works, (Mr Stirling) had some data and conclusions, which the Minister thought might well be placed before the Cabinet by the Superintendent himself — Which being approved of — His Majesty adjourned the Council until Saturday next at 12 o'clock — when the Water Works will be first in order, as unfinished business

Charles C. Harris
Sec. pro tem.

Cabinet Council — Solani Palace
Thursday 2nd 1869 — Saturday —
Present His Majesty the King
Messrs F. W. Hutchison: Stephen H. Phillips and C. C. Harris —

Mr Stirling — Superintendant of Public Works, being in attendance — his views were required touching the extension of the Water Works — —

MIN. read

The minutes of the last meeting were read and approved —

Mr Stirling then proceeded to say that he had examined the Spring at the head of Liliha Street, known as Nuuanu and found that it furnished in a dry season about 500,000 — gallons of water per day, that a service of pipes from it would intercept the present pipes just below the upper Nuuanu Bridge — and would be auxiliary to the present system, or increasing the quantity of water but would make no greater head or supply water at any greater elevation than at present, — The height of the present Reservoir Mr S. understands to be ~~[illegible]~~ sixty five feet, though he has

not levelled it himself - When the water is low in the Reservoir, it has not head enough to go above the lower floor of the houses next below the Bridge, and her know when the water in the pipes, constituted all that the town could have - The present year has been one remarkably abundant in water and at no time, has there been any deficiency a short supply - Mr S. had had a conversation with Mr Harris, about a supply from higher up the Valley, which suggested ideas not before taken into consideration - He (Mr S) thought that a large Reservoir, intended for storing water, capable of containing 12000000 Gells of water - would cost you a six thousand Dollars, beside pipes - and on the whole he did not think such an one could be built for less than 40000 and the benefits would not be correspondingly large - Mr Harris asked - Suppose the river could be commanded how then about such a reservoir - Ans - Oh then so large a one would not be necessary - One to contain 2000000 (Two Million) Gallons would not cost more than 20000 - The water in such a case, could be filtered if necessary, and would be as good as Spring water - Hunnewell is Spring water - The daily supply - at present for the town is 750000 to one Million of Gells. Hunnewell would only come into play, when there should be a deficiency of water in the present Reservoir - Mr Harris again asked - Suppose the supply from the river may be secured at a moderate expense, and as is not beyond the means of those upon whom the money responsibility falls, which would be the best - Answer The upper system - In Mr Bishop's Brewery (Patrick Brewery) when I first saw it there was water enough to supply all

Honolulu - and yet it was a very dry season
A mile of eight inch pipe will cost $5000
the material for laying it $1000 - and the
labor in laying it $2000. - A service
of iron pipe would save nearly or quite
half the water in the Pakiloaiwi, which
is now lost by evaporation, leaching,
and wastage in imperfect service - this
would be saved by iron pipes or any other
water-tight pipes - In answer to a
question from Mr Hames the Superintendent
replied a second time - the money
question being weighed by those whose duty
it is to look to that. the upper service
would be the best serving the most people
and the most purposes - and bringing
the most land under its influence
The Superintendant then withdrew
The subject of replying to the petition
of certain citizens of Honolulu, being then
taken up - Mr Hames read a draft of an
answer which had been prepared as had
been commanded, by His Majesty - and
thereupon His Majesty was pleased to
command the Minister of Interior to
reply as follows,

"I have been commanded, by
His Majesty, to say that your petition
dated Decr 28th, has been laid before him,
In it you set forth, that you are a Committee of a Public Meeting, held at Honolulu - on the 24th - and that in the opinion of this meeting which you represent, the action of the Board of Health, in permitting the Steamer "Idaho", on the 21st inst to enter the Port, having on board an undoubted case of small pox, which case had been previously made known to the Board of Health, was calculated seriously to endanger the health of the People etc:

and thereupon, under instructions from the said meeting, you pray that the Members of the said Board may be removed from Office

His Majesty directs me to say that the health of the People is always the subject of the greatest personal solicitude to himself, and that he is much gratified to know that the public attention is ~~[illegible]~~ roused to the necessity of precautions against the spread of the small-pox; that he is aware that the Board of Health has been, for some time past, taking active measures to prevent the introduction and spread of this disease, and hopes the People will second their efforts, by carefully attending to the duty of vaccination, each for himself, his family, friends and neighbors — His Majesty further commands me to say that with regard to the case, on board the "Idaho" referred to in your petition, he has knowledge that the Board of Health acted with due deliberation, on the best light and advice obtainable, and with the highest sense of their responsibility to the Public — The Members of the Board are assiduous, in their attention to their duties — The Minister of the Interior is by Statute, Ex Officio, President of the Board, and the other Members have been selected from among the most careful and considerate men in the community, and serve the community gratuitously, and that in his opinion the Public is well served by them — and further that upon careful perusal of the petition, He does not observe that you have set forth any reason, nor is there any known to Him, for requesting the resignation of any of those Gentlemen

It pleased His Majesty to command that the Minister of the Interior should send the above reply.

The Attorney General observed that

Mr Rufus Lyman, now holding the Appointment of Local Circuit Judge for the Island of Hawaii, under the Appropriation Bill could not draw the remuneration, and in view of other circumstances, his holding the place might give rise to complications - and some difficulties occurred to him (the Attorney General) about the office of Lieutenant Governor, in this connection. — His Majesty said that he was perfectly willing to appoint a Circuit Judge — Mr Phillips having suggested the name of Mr Frederick Lyman, this nomination met with His Majesty's approval.

Council was then adjourned to Wednesday next - at 12 O'Clock - The consideration of the extension of the Water Works is the unfinished business

Charles C. Harris
Sec'y pro tem.

Cabinet Council Monday January 12th 1869 - Iolani Palace.

Present His Majesty - The King
Messrs Phillips, Hutchison and Harris

Minutes of the last Meeting were read and approved —

On Wednesday there had been no meeting - as two of the Cabinet were unexpectedly engaged.

Petition of 'Hulumanus' regarding taxes

Mr Harris read a petition from Capt. John Kapena Makini setting forth that through his own inadvertency, the Muster roll of his volunteer Company - the 'Hulumanus' had not been handed to the Assessor of Honolulu - and therefore they were deprived of the privileges - conferred

by the Statute, in regard to the exemption from taxes, and setting forth some reasons, for their neglect, and asking for relief.

His Majesty observed that he did not feel entirely satisfied that the Company were very strict and regular in their attention to their duties, and thought it would be well to refer the petition to the Adjutant General, with a request that he would examine into the drill, regularity and general efficiency, and report by conduct of the Corps more minutely.

– It was ordered accordingly.

Water Works, being unfinished business, was resumed – Dr Hutchison read the report of the Superintendant of Public Works – to the effect that he found the point, where Pohi Nui taps the stream is 3½ miles above the Reservoir, and 884 feet above the level of the sea – The best location for water pipes would be along the course of the Nuwai – Two breaks in the continuity of the pipes would be advisable – proposes to build a Reservoir for 1½ Million of Gallons, ¼ of a mile above Rose Bank – 200 ft higher than the present Reservoir – Not to connect the upper pipes with the present system – which will be practicable, when deemed indispensable – Thinks filtration necessary – and would propose to construct two filtering beds capable of purifying about a Million of Gallons per day. Such works would cost – as follows

3½ Miles of 8 in pipe, laid, at $80 per mile	280000
Reservoir 240 ft x 100 ft x 10 ft, for 1½ M. Gells.	21600
Settling pond with filtering beds for 1 M. "	18000
Two small ponds – one, and two miles, above the Reservoir	15000
Contingencies – say 10 per ct on $69000	6900
	$170000

Mr Harris said that Mr Bishop had told him, that he would sell out Mrs Bishop's right, to the Pohi Nuwai – for $10000

It was agreed unanimously that it would be well to purchase Mr Bishop's right, and the Minister of Interior was directed so to do.

Dr Hutchison said that he was not prepared to to recommend any further action, on that head, to day.

His Majesty expressed a strong opinion, that the system from Nuuanu Valley would be much preferable to the Kaimuki — as the general use of the town — and advised strongly the acting in that direction, whenever any action should be taken — Dr Hutchison concurred in this view, subject always, to taking into consideration the cost of the undertaking — Mr Phillips likewise concurred — Mr Harris had expressed his views to that effect formerly — and so it was unanimously agreed — Dr H. remarking provided water is sufficient

Dr Hutchison exhibited the plans, which he had caused to be prepared, for a new Government House at Hilo — Mr Torbert offered to contract for it for $[illegible], which is very much lower than it could be built for — were it not for some peculiarities, at present, in Mr Torbert's business, which make money of peculiar value to him at this moment, — It was recommended to put the building under contract immediately.

Dr Hutchison exhibited some plans for a quarantine hospital — which he said would cost $[illegible] perhaps more — exclusive of the location — upon which he had not been as yet able to form any decisive opinion. But that the funds at the disposal of the Board of Health were so heavily drawn upon, that he thought, that it would be necessary to call upon the Privy Council, under the provisions of the 15th Article of the Constitution — regarding this as an emergen-

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ST. THOMAS AND ST. JOHNS.

The acquisition of Alaska was made with the view of extending the national jurisdiction and the republican principles of the American hemisphere. Believing that further steps could be taken in the same direction, negotiations were entered into for a treaty with the King of Denmark, for the purchase of the islands of St. Thomas and St. Johns, on the best terms then attainable, and with the express consent of the people of these islands. This treaty still lies under consideration in the Senate. A new covenant has been entered into with Denmark enlarging the time fixed for the final ratification of the original treaty. A comprehensive national policy would seem to sanction the acquisition and incorporation into our Federal Union of the several adjacent continental and insular communities, as speedily as it can be, peacefully, lawfully, and without any violation of national justice, faith or honor. Foreign possession or control of these communities hath hitherto hindered the growth and impaired the influence of the United States. Chronic revolution and anarchy there would be equally injurious. Each of them, when firmly established as an independent republic, or when incorporated in the United States, would be a new source of strength and power. Shaping my administration to these principles, I have on no occasion lent support or toleration to unlawful expeditions, set on foot upon the plea of republican propogandism, or national extension or aggrandizement. The necessity, however of repressing such unlawful movements, clearly indicates the duty which rests upon us of adopting our legislative action to the new circumstances of decline of European monarchical power, or influence, and the increase of American republican ideas, interests and sympathies.

FUTURE POLICY OF THE GOVERNMENT ON ANNEXATION QUESTION.

It cannot be long before it will become necessary for this Government to lend some effective aid to the solution of the political and social problems which are continually kept before the world by the two Republics of the Island of St. Domingo, and which are now disclosing themselves more distinctly than heretofore in the Island of Cuba. The subject is commended to your consideration with all the more earnestness, because I am satisfied that the time has arrived when even so direct a proceeding as a proposition for the annexation of the two Republics of the Island of St. Domingo would not only receive the consent of the people interested, but would also give satisfaction to all other foreign nations. I am aware that upon the question of further extending our possessions it is apprehended by some, that our political system cannot successfully be applied to an area more extended than our continent; but the conviction is rapidly gaining ground in the American mind, that with the increased facilities for communication between all portions of the earth, the principles of free government, as embraced in our Constitution, if faithfully maintained and carried out would prove of sufficient strength and breadth to comprehend within their sphere and influence the civilized nations of the world.

This is the first time the President has recommended annexation such sheer ly referred to by Mr. Polk's

by [illegible] ... [illegible]
indemnities in money, etc [illegible]
[illegible] [illegible]
from that sort. This matter was deferred until a vote might be suggested—

The Attorney General — Mr Rufus Lyman Circuit Judge for the Island of Hawaii, will send in his resignation, immediately after his return on settling a case or two which would be obliged to be reheard, unless he should give a decision.

The four Chinese, under sentence of death for murder, have been reprieved until the 5th day of February next— But the trials on their second indictments have not yet been had and can not be until some fortnight from this— This, together with probability of exceptions—and proper time between final conviction, should one be had, and the execution, will make a further reprieve of some months necessary. Mr Phillips desired a Privy Council for this reason —

Mr Phillips — thought it his duty to call attention to the Message of the President of the United States at the opening of the present session of Congress — and quote the following passages, as those which should especially have attention

While the United States has, on all occasions, professed a decided unwillingness that any part of this continent, or of its adjacent islands, shall be made a theatre for a new establishment of monarchical power, too little has been done by the United States, on the other hand, to attach the communities by which we are surrounded to our own country, or to lend even a moral support to the efforts they are so resolutely and so constantly making to secure republican institutions for themselves. It is, indeed a question of grave consideration, whether our recent and present example is not calculated to check the growth and expansion of these principles, and make the communities distrust if not dread, a Government which at will consigns to military domination, States that are parts of our Federal Union, and while ready to resist any attempt by other nations to extend to this hemisphere the monarchical institutions of Europe, assumes to establish over a large portion of its people a rule more absolute, harsh, and tyrannical, than any known to civilized powers.

THE HAWAIIAN RECIPROCITY TREATY

The attention of the Senate and Congress is again respectfully invited to the treaty for the establishment of commercial reciprocity with the Hawaiian Kingdom, entered into last year and already ratified by that government. The attitude of the United States toward these Islands is not very different from that in which it stands toward the West Indies. It is known and felt by the Hawaiian Government and people that their Government and institutions are feeble and precarious and that the United States, being so near a neighbor, would be unwilling to see the Islands passed under foreign control. Their prosperity is continually disturbed by expectations and alarms of unfriendly political proceedings, as well from the United States as from other foreign powers. A reciprocity treaty, while it would not materially diminish the revenues of the United States, would be a guarantee of the good will and forebearance of all nations, until the people of the Islands shall of themselves, at no distant day, voluntarily apply for admission into the Union.

Mr P. proceeded to remark, that it was a very important matter, and if this Government shall remain silent, they may be said to acquiesce in the statements and conclusions therein contained - If we should accept the treaty now pending in view of these remarks, we may be said to be, in a manner estopped hereafter from denying them ~~[illegible]~~

Mr P knew of nothing in the political correspondence or treaties of this Government, with that of the United States - that would give the President the right to say that it was "known to this Government and people that a release of their neighborhood, the United States would be unwilling to see these Islands pass under foreign control" - and that the portion touching the Islands being considered, in connection with that touching the West Indies - it becomes a very grave question, as to what instructions should be given to His Majesty's Ministers in Washington - and suggested whether an explanation should not be demanded, and thus an assurance may be received that it does not bear the construction, which it appeared to him (Mr P) to bear. Mr P suggested likewise that a "protest" might be desirable - These were not the grounds on which this Government is seeking the ratification of the Treaty - It is true that every one knows the position of political affairs in the United States, and it by no means follows, that the incoming administration will have similar views with the present President - That it is not true, that this Government and people feel that their institutions are feeble and precarious -

Mr Harris had reflected much on the Message - and did not take the same

view and would not advise that any instructions should be forwarded to Washington calculated further to embarrass H. M. Chargé - or calculated to make the United States Government think that it or the people of the States were viewed with distrust and alarm, by this Govt. more especially by reason of a Message, the author of which would have become a private citizen before any remonstrance or protest can have reached there - That the whole document, as far as it relates to this Country should be taken together, and though he (Mr H) would have liked to have seen different language, the best and not the worst construction should be given to it - That in this view, it was friendly, and the Section under consideration was put forth with a friendly view - That the past history of this Country did show, and that it could be truly said that both this Government and people do know that the United States would not willingly see this Country pass under foreign domination and that it was far from inspiring to say so - That the feebleness of the Institutions did not refer to internal feebleness - but was to be taken in connection with the rest of the same sentence, and the next sentence and refers to the foreign power and causes of alarm therefrom in past time and no better means can be taken to justify that sentence than the means proposed.

(The President) He further says that the Treaty will be a guarantee of the good will and forbearance of all nations the United States being included, and being especially referred to - That any allusion that is made to annexation is made under the idea of a voluntary application of the people - and the word "People" is meant to signify the

the Nation, as represented by their lawful authority — That it is obvious that in the first quoted passage — the first part is put in in order to bring in the last part, as a taunt to Congress, towards whom, the whole message is defiant in the extreme; and in the former part nothing is recommended offensive, but the extension which is alluded to, is to be "peacefully — lawfully "and without any violation of National "justice — faith — or honor"

His Majesty here remarked, that he thought that the Council had better adjourn. — That he desired to do nothing other than to assert and maintain the dignity of the Kingdom — and thereupon adjourned the Council until — Thursday next at Noon

Chas. C. Harris
Sec pro tem.

Cabinet Council
Friday January 15th 1869

Present His Majesty The King —
Messrs Hutchison, Phillips and Harris

The Minutes of the last meeting were read — and directed to be amended by adding that Hon. J. Mott Smith had written to the Foreign Department from Panama recommending that Isaac McKim Cooke Esq should be appointed Consul at that Port — This Gentleman was likewise recommended by all the Foreign Consuls there at Panama — It was accordingly commanded that a Commission be sent

With this amendment the Minutes were declared to be correct.

The Minister of Interior called up again the subject of a Quarantine Hospital: said that he thought $800 would be sufficient, and it was agreed that it should be recommended to the Privy Council to appropriate that sum in accordance with Section 15th of the Constitution.

Privy Council was commanded to be summoned for tomorrow at 12 M.

Mr Phillips, in charge of the Department of Foreign Affairs - said that Mr Perkins (Chargé d'Affaires for the United States in the absence of the Minister Resident, General McCook had transmitted to himself a Commission, as Consul for this Port, for Col. Shalding, with a formal request that an Exequatur might issue. Mr Perkins showed likewise a letter from General McCook in which he said that he (McC) had opened his despatches, and found nothing of importance except one regarding this Consulate - and indicating that the United States Government would make no controversy, as to whether an exequatur should issue or not to Col. Shalding -

Dr Hutchison Why not give him, his Exequatur - I see no reason that can be placed before the public for refusing it -

Mr Phillips - No reason need be given for not recognizing a Consul -

Mr Harris - It is not well to do any thing without having a reason, which you can give and there has been but one instance of refusing an Exequatur - here - and that has been to one who had resided among us, for a long time, and for reasons that appeared at the sufficient and satisfactory

Mr Phillips - There are three reasons - The first is that he came here as the secret agent of the United States Government - and he thought that one who came here as a mere spy to spy out the weakness of the land should not be received - Secondly: The letter which Mr Conover wrote to the Secretary of State and Senators in Congress was prepared by him - and he Mr Phillips has good reason to believe was written & composed by him - ~~Would~~ his habits and misconduct in Public are very gross - most gross and beastly at Mr Bollmann's on the occasion of displaying the flag of the North German Confederation in the matter of drunkenness

His conduct on board the "Idaho" was such as to make Miss Mason desire to change her seat. Thought something was due to other Consuls, with whom he might be thrown into social relations - Knew of one house where he never would be allowed to go again.

The remaining cause is most serious - It is the Consul's duty to explain to foreign merchants the laws of the United States, and to caution them - Every Consular certificate has an endorsement to the effect that he believes the statement that he believes that the Invoice certified is what it purports to be - and that in a late case, Mr Spalding so certified certain sugar in which some charcoal had been mixed, and then went over to San Francisco, and denounced it as a fraud - and asks his fees as an informer

Regarding Secret Agency - General McCook had asked him Mr Phillips if he had seen Mr Spalding's name in the list of those employed by the United States Government on secret service, and then stated that he (the C) did not believe that there was anything of importance in it - But that General McC had called, subsequently, and said that he, at the time, believed it (this statement) to be true

but that he had subsequently found that he was so in a most offensive way. Mr Harris — did Mr McLaukhe write to you to that effect Ans No. He stated it officially, and did not think it right to let the impression remain, and therefore had communicated this statement. Mr P. Wearne added that he had learned such a fact, before, from a Clerk in the Treasury Department at Washington

Mr Harris remarked that General Smith had informed him, at Washington, that he himself had communicated the fact of Mr Spaulding being in the Navy service of the United States.

Mr P. Yes but I had learned it before from the source stated — and continued: practically, any one who vacates a public office, would be looked upon as a public benefactor at Washington —

Mr Harris — If there is any such information as is alluded to regarding any improper agency — the names and circumstance in detail of the informer and information should be given in order that others may judge for themselves of the weight of information —

Mr Phillips recommended that there should be delay to see what the next mail would bring — Being in a Consular place he would not be brought into contact with Government — but next a request might be made to recognize him as Charge — what then? — Mr H. Sufficient for to day, is the present question — Many things may happen.

Mr P. Suppose the present Charge absent at Lahaina, and an Admiral arrives — or public business regarding the small-pox for instance, arises — What then — Mr Harris I really do not see any difficulty in doing public business with a man even if you should not happen to approve of him individually

Dr Hutchison thinks it a most extra-

ordinary thing that any Government should be supposed to send out a Commission, and then send out a letter to take no notice of it — Mr Phillips: The Commission may have got away from Washington before information got there — and in consequence of the tenure of Office law — the Executive could not recall it. Dr Hutchison; I do not think it our duty to suppose any thing, except what we see — or to help another people, in executing or avoiding their own statutes — Nor do I think it any thing dishonorable for a gentleman to be in the secret service of his country — For myself, I despise a mere spy, as much as any one — but (to Mr P) I did not observe when you first heard of this fact, that you looked upon it, in any different way, from what I did — Nor do I think that whether this man has behaved improperly at a private entertainment, or spoken or conducted himself disrespectfully to a lady at table is of any consequence to us in this matter — As for the certificate — No one has made complaint, and whilst we run into difficulty, no one will thank you

Mr P — Mr Bollman spoke to me — Mr Harris — Why dont he write? Hrs — Merchts do not wish to be at variance with the United States Consul — Capt Brewer had stated something —

Mr Harris concurred with all Dr Hutchison had said, and thought if others did not wish to be at variance with any one about their own affairs — that it was a very good reason for this Cabinet to avoid a variance for them — And moreover thought that it would not be a good reason to assign to the United States Govt that an Exequatur had been refused, because their Agent took any means which might seem proper to him and perhaps them to prevent their own citizens, from doing a

wrong to their revenue — Mr Hutchison — I certainly think that the Exequatur should be issued, but that it should be issued immediately

His Majesty — I can see no reason which could be publicly assigned, why this Exequatur should not be issued — His Majesty therefore commanded ~~that~~ the Exequatur should issue, as soon as it could be conveniently prepared.

The above matter being disposed of — His Majesty invited to resume the consideration of the Message of the President of the United States —

Mr Phillips This relates to the Foreign Affairs — The Steamer will leave on Saturday If a letter should go forward it will reach about the end of the Session His Majesty — It appears to me that this is to begin at the End of the matter I would like to hear your views as to the effect of the Message — as for instance, the effect on England and France, who have, as far as they are concerned, between themselves entered into obligations to respect our Independence —

Mr Phillips — The message appears quite ridiculous and absurd and as the opinion of Mr Johnson is of no consequence — If he were to remain in power or to be succeeded by a President of like views of himself — — — But as he is going out it is a question how far the Message of one President is to be taken as simply his own view H.B. Here the discussion became conversational — The undersigned did not understand Mr Phillips as expressing any thought as to the effect of the Message on any Community or Government — but generally, Mr P as well as himself maintained the views expressed by themselves respectively at the last meeting — Mr P in the course of his remarks, spoke again of the Monroe doctrine, and said ~~that~~ he could

show an authority - as decided at the last meeting - in the case of the Spanish Ambassador - His Majesty remarked that he would like to hear Dr Hutchison's opinion - Dr H - remarked that he was opposed to the idea of making any representation upon the subject - but would like very much to see for himself, all the precedents, to which he could be referred - His Majesty thereupon adjourned the Council - saying that he was about to go on to the Country for a few days - and thereupon no day of meeting was assigned

Chas C. Harris
Sec. pro temp.

Cabinet Meeting - Iolani Palace
Thursday - Feby 11th 1869

Present - His Majesty The King
Messrs. Phillips; Hutchison and Harris

The minutes of the last meeting were read and approved - During the reading Mr Phillips remarked that it did not seem necessary to record so minutely what was said - Mr Harris explained that on looking over the minutes of past meetings, some things did not seem to be recorded - and that sometimes reference had been made to the Record for the purpose of proving that things had not been done - A full record serves to bring back to mind of gentlemen just what was thought and said - His Majesty observed that if a Record was to be kept, in to be of any use - it should be a full one that he did not think it of any use, to have a mere skeleton -

Mr Phillips said that - in regard to

Mr Spalding, that it had been understood, that he (Mr S) was not to exercise Diplomatic functions — Dr Hutchison said that his memory was different, in this respect — that Mr P. had spoken of it, and that it had been observed that "Sufficient for the day is the evil thereof", and that it was better to wait until some proposition was made by Mr Spalding to do such business. His Majesty remarked that he had said that if Mr S. should claim to execute Diplomatic functions, he ought not to be allowed so to do.* But that it was not necessary to inform him to that effect.

The Minister of Finance, read the report of Adjutant General Lemmis, touching the efficiency and attention to duty of the Volunteer Company known as the Hilarmonic — which has petitioning for relief against their being, in not reporting their muster roll to the Tax assessors, in accordance with the law exempting Voluntary Military organizations, from taxation — in paying personal taxes — Dr Hutchison to the Ministers of Finance? What do you recommend? Ans. It does not seem to me, advisable to interfere with the regular execution of the law, in favor of persons who do not comply with the spirit of it — Nor would it be a good example to other Companies — Such a Company would be a mere inducement for men to Enrol their names, and avoid taxes without showing any soldierly pride in their organization — or doing the service which it was intended, should stand in the place of the taxes — Would recommend that the Company be reorganized — This being concurred in unanimously, His Majesty fully approved — saying that there was no other course —

Martial Law laid before His Majesty, the Tables of Commerce for the year 1869-70

and reported that the amount of money in the Treasury is $124127

The Attorney General said that four Chinese had been condemned to death, and one, at least recommended to mercy, but that they had reserved some points, for the Supreme Court - and that it was not necessary to summon a Privy Council, until such points should be disposed of -

Minister of Interior read a letter from Mr McClellan, employed as postal agent of the United States setting forth that the Captains of the subsidized Steamers were not allowed to receive the two cents allowed by Sec. 441 of the Civil Code - H.H. did not see how the request of Mr McClellan, could be entirely complied - but thought that the two cents, which was to be paid to the Masters might be remitted

Mr McClellan asked that the two cents might be remitted - His Majesty to When will the money thus remitted go? Ans. It will go to the letter writers - So much less postage may be charged

The Attorney General thought that the legal authority to abate the two cents, on each letter, was quite questionable, and that in view of the cases that might follow, he would not advise to accede with the suggestion -

Minister of Finance did not think it of much consequence, but in view of the fact that under our law the Captain might claim the two cents for himself - he thought that the Agents of these ships stood in the place of the Captains, as meant by the law and he now requesting, that what he would receive - might be deduct-

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Mr Phillips remarked that now any communication would not reach Washington - before the administration had been out of power - six weeks.

C.C.H

so from the postage required for letters, going by these ships, it might be thought well be done -

Mr Phillips thought it might give rise to much unpleasant and unnecessary talk - which though it might not be true, yet might as well be avoided

His Majesty thought - it would be just as well to go on as heretofore - and thus the matter was dropped -

Minister of Interior read form of Contract which had been prepared - for the conveyance of Mr & Mrs Bishop & right, in the Pahi Cannoi - Approved

Minister of Interior presented the form of Contract which had been prepared for passengers, who might embark in South Seas - per Maiana Loa - for the purpose of emigrating to the Hawaiian Islands - This was approved

His Majesty - My Opinion regarding the wording of the Message of the President of the United States has not been changed - Others outside of the Cabinet have however thought that it was not pleasing - But I do not say this, in order to carry out the views of writing a letter - to which the Majority of the Cabinet are opposed? - But I am on reflection, of opinion, that it would not be wise perhaps, to write any thing that might irritate the United States Government; more especially to the new administration and therefore it is not worth while that any should be sent

Dr Hutchison remarked, that he desired to say a few words - not having hitherto expressed his opinion, decidedly in Cabinet meeting, because he desired to see a precedent which he understood Mr

to say that he could show - That however he had seen none except one left by Mr P. with Mr Harris, and had been very much astonished to find that the message thus pointed out - was not the annual Message of the President, required by law, which he (Dr H) still continued to think was not a diplomatic paper - any more than the Speech - or communication of any other Chief Magistrate - That the Message pointed out, did not refer to the Monroe Doctrine, so called, but was sent in 1822, in answer to a Resolution of Congress, proposing to recognize the Revolted Colonies of Spain as Independent Govts - to which view the Message was devoted - and the protest of the Spanish Ministers - was to the effect that such recognition would not invalidate the rights of Spain in reduce her Colonies, which nobody had denied, or did deny - The Message about the Monroe Doctrine was in 1823 - Therefore the Precedent, was, in no way, pertinent -

Chas C. Harris
Asst Secretary - pro tem

Cabinet Meeting at the Office of the Ministers of Finance

Friday ~~January~~ 18th 1849

Present
His Majesty the King
S. H. Phillips Attorney General -
H. W. Hutchison Ministers of Interior
C. C. Harris Ministers of Finance

His Majesty - I have called this meeting, because Mr Harris called my attention to the sale of the Release - Yesterday, we had a conference, at this office

at which Mr Phillips was present – I do not think that it is reasonable – or indeed possible that any foreign Company will run a Steamer here – between the Islands.

Dr Hutchison – Mr Harris u, speaking to me, about this, some days ago, but I did not think that he was speaking seriously – and yesterday, he spoke to me again – Mr Hughes of the foundry spoke of it, but I told him that I did not think we had any appropriation – (Mr. Phillips) The item in the Appropriation Bill (Inter-Island Steam Navigation) is large enough to cover it – Dr Hutchison resumed – I do not think it advisable for the Government to run steamers. The vessel is an old one, and would need many repairs and new boilers – and had never been satisfactory – I hope to hear favorably from New Zealand – Mr Henderson, called some time ago – and got the law – and sought all the information, which he could obtain – and thought that his friends might send a vessel here to run – I think the vessel would bring more than £1000 (N.B. This was said in answer to Mr. Harris statement that he would at any time like to take her to break up, and dispose piece meal, and pay nearly that price) Her hull is very good – I asked Mr Green what he thought would be the expense of getting her ready for sea, but he said that it would require estimates – If a private Company can not run, at a profit certainly the Government can not – Officers of Government, in such cases, do not have the same spur as private persons. Agents will sacrifice Government interests to their own; If the Treasury should become involved, I should look upon it as very dangerous to the Country

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Minutes of the two last meetings were read and approved
May 17th/1869 C.C.H

This memorandum of date is made by mistake - as well as the above note, which was meant to be placed on page 181 - the date of the meeting on the opposite page was April 21st C.C.H

Mess. 2nd and 13th are the dates of Mr V. R. 's letts.

Dr Hutchison concluded by saying that he had no objection to the purchase of the Ship, at the price mentioned, but had said thus much, because he should feel it his duty to resist the idea of running her or any Steamers, at the risk of the Government –

Mr Harris remarked that the only proposition before the Cabinet, at this moment – is whether the Ship shall be purchased to prevent her being broken up.

It was accordingly resolved that the Ministers of Finance be instructed to purchase the Kilauea, as she stand, at a price not to exceed Six Thousand Dollars $6,000.00

Charles C. Harris
Hon. Sec. pro tem.

Saturday May 7th 1859

Meeting at the Office of the Minister of Interior –

Present His Majesty The King – Mr Phillips and Mr Harris –
The Minister of Interior was absent at Maui –

Mr Phillips acting for the Minister of Foreign Affairs, who is absent, in Europe, placed before His Majesty a letter from Mr Van Reed – Consul in Japan, setting forth that a letter had been received from the Foreign Office, recalling the authority given to Mr Rowat Kenbergh the United States Minister Resident, in Japan and giving Mr Van Valkenburgh a statement to him Mr Van Reed – regarding the Japanese Emigrants per British Ship Scioto – and wherein ~~the~~ giving account of his own

His Excellency
C. C. Harris
Minister of Finance

Sir -

We are very anxious that the Steamer Kilauea should be placed on the Island Trade again, and we are willing to assume considerable responsibility, in the premises, providing the proper arrangement can be made with the Government - We will agree to run the Steamer Kilauea, for the term of two years, on her old route, and perhaps extend the same to the Port of Kealakeakua, Hawaii, in case it does not consume so much time, as to interfere with her making weekly trips and the receipts will compensate, for the extra expense in fuel etc. For consideration, we want the Steamer Kilauea, put in cond'n order as far as hull and machinery are concerned, and fitted ready for sea - We also want free storage for Coal, wharfage, water - boarding and passenger license, and a subsidy of $5000, per annum, payable monthly. Furthermore, we want the Government to import the Coals from Sidney and sell the same to us here, at prime cost.

In the case the boat should be able to pay all her expenses, including our Commissions from the earnings, then we would pay the amt of subsidy back to the Government - We further agree to keep the boat, in good order, barring the usual wear and tear to hull and machinery, with exception of some extraordinary accident to same, or loss of boat, which must be borne, by Government

Should the Government desire to insure the boat, they do it, at their own expense.

(Sd) Yrs, Respectfully
Walker & Allen

The minutes of the two former meetings were read and approved
May 7th/1869
Charles C. Harris

Messrs Walker and Allen's further answer is on page 189

action regarding the Princes, still in arrears against the Mikado - saying further that he had thought of advising, that an Envoy - with one or two native attachés, should be sent from here, to sign the treaty, which has been arranged, but upon the whole, thought it best to delay - In the mean time, the Brig "Kuanaoa" would probably, be allowed to enter -

Mr Phillips was advised to write to Van-Reed approving of his course and suggestions

Charles C. Harris
Secretary pro tem -

Cabinet Meeting

May 17th 1869 - At the Office of the Minister of Interior Present His Majesty the King
Hon Kamehameha W. Hutchison Minister of Interior
Stephen H. Phillips Attorney General
Charles C. Harris Min. of Finance

Mr Harris placed before His Majesty a communication, from Messrs Walker & Allen, Merchants of Honolulu dated May 3d as follows - See opposite page
Notice was taken on the letter, as Mr Harris said that he would ask the applicants further to explain, regarding the repairs of the vessel -

Mr Phillips placed before the Cabinet the letter of G. Mott Smith - His Majesty's Chargé at Washington, dated March 17th It did not seem that any communication was called for, in reply thereto

Mr Phillips read his reply to Mr Van Reed - His Majesty's Consul at Kanagawa - Japan, dated April 22d, the same having been informally approved, before - setting forth the difficulty there

would be, in causing the Japanese laborers, who had become engaged with parties to return to Japan, before they had worked out their contracts His Majesty inquired how much it would cost to send them back — To which, the Minister of Interior replied, that there were originally 150 of them — and that he thought the cost of sending them back would be, about $5000, but the difficulty would further be, the Court that would be obliged to be reminded to their Employers — It was agreed that a dispatch should be sent to Mr Van Reed referring him to the last letter — and covering one from the Board of Immigration — which should give a proper and full account of the present condition of the Japanese, and expressing the hope that this might prove satisfactory.

And that another should be written to Mr Varigny, at Paris referring to the letter from and to Mr Van Reed — enclosing the French Consul's offer in the matter of the Japanese Treat — and quoting Mr V.'s reply and observations, touching the same And further that Mr Varigny, be desired to inquire at the French Foreign Office, whether any instructions had been sent to their Minister in Japan to assist Mr Van Reed — and if not, to ask their good offices in this respect, if he thought it advisable

Mr Varigny's letter, dated at Paris, March 3rd was then taken up — Much conversation ensued regarding the instructions given to Mons Varigny — Reference, being made to the Record of July 6th by which it appears that the instructions were read, approved, after discussion and signed Each Minister having remarked that he did not remember to have read or hear them read — Mr Phillips sent for them, and

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The protocols allude to one as follows
Sept 20th 1855 – Page 24th, paragraph 4
The 4th article was read in bett the hope
may the next occasion to produce Mr Perrin
a special reciprocity ~~treaty~~ negotiated with the
United States, for him to read and consider, and pro
pose that the discussion of the article be post-
poned till the next conference, which suggestion
was approved.

Thursday Sept 27th 1855 –
Mr Perrin returned the convention of special
reciprocity upon which he does not see occasion to
offer any other remark than this

Mr Perrin returned the convention of special reciprocity with the United States, upon which he does not see occasion to offer any other remark than this When France shall make a treaty for free trade with this kingdom, she will make for that purpose a special treaty

Mr Allen proposed, on the first paragraph of the eighth article, the following interpretation A reciprocal treaty which [illegible] contracting parties may make with any other nation shall not give to either of said parties any additional privileges or exemptions, but either shall have a right to claim of the other the same special reciprocity by treaty stipulations.

[illegible] Perrin assented with the following qualification: The [illegible] United States and the Sandwich Islands [illegible] privileges to the United States under special [illegible] to claim her same [illegible] explanation, above recorded.

*2. N B It does not appear, upon reading the letter of instructions, that – in regard to France, the authority to denounce the 8th article is express. In that connection, the remark is that the 3d Article is the most objectionable, in the opinion of His Majesty's Government – But under the head of Great Britain, in the same letter, occurs this remark – It is not desirable to denounce the present treaty between the two kingdoms, unless the 4th and 7th articles can not be modified otherwise –

they were read through, carefully. Mr Harris commented upon the several points, in the letter — It is not addressed to the Foreign Office, but Mr Phillips observed that he understood it as being a public letter — Mr Harris remarked that the question as to how this Government construed the 8th Article of the French Treaty, had often been discussed; once before the signature of the Treaty, on which occasion a request had been addressed to the French Negotiator, and an answer which is a protocol to the Treaty obtained — Once before his own departure for the United States — and once after receiving the draft of the Treaty or Convention of Reciprocity with the United States, signed by himself — and that, at all times, the same opinion had prevailed — That, as being the substance of the Protocol, it was most certainly law — Mr Phillips had not read the Protocol, but if it is as stated, "concurred with the opinion of the Ministers of Finance" — Mr Phillips to Mr Harris — What would you desire to be done? — Ans. That Mr Vaughn be advised, that in the view of this Govt, the opinion that they have always held — that the article, in question, does not give to the French Govt any rights, to admit like articles, into this country — free of duty, by reason of any Reciprocity treaty, with another, is the right view of it — and originated by the protocol of their Negotiator, at the time and never departed from since — And further, that his attention be called to the authority, he has to denounce the article — if it is likely to stand in the way, of any probable arrangement for the benefit of this country.

This was agreed to by each severally, and approved, by Her Majesty —

Hum

* The clause, in the letter of instructions, dated July 18th 1885th - here referred to, read as follows

"The answers, so far received from the Cabinets of London and Paris to our propositions, to negotiate a special Reciprocity Convention, on the basis of that now negotiated with the United States of America - are satisfactory. We therefore entertain the hope that you will be able to treat on that basis, and conclude, subject to H. M.'s Approval and ratification, a Convention of Reciprocity, calculated to develope and encourage our direct trade, and maritime intercourse with Europe -

Dr Hutchison remarked that he had never heard that such propositions had been made till very lately, from Mr Winchester H. B. M. Commissioner - Mr Phillips said that though he had signed them, he had never read them, and concluded that they had been discussed and agreed upon beforehand - though he hainself remembered nothing of any such propositions having been authorized or made.

Mr Harris further thought there was much, as the proposition to negotiate like treaties of Reciprocity with the Cabinets of London and Paris, were not remembered, by any gentleman in the Cabinet, or by His Majesty - it could not have had very grave consideration -

Mr Phillips - France has not like articles as those provided, by the American Convention, should it pass to introduce - Mr H. that is true, and furnishes an additional reason, but if the United States shall make this arrangement, and then proceed immediately to introduce from Peru - Guatemala and Manila - the same articles, on like terms, we should feel that we were in that phrase "Done" - To this Dr Hutchison and Mr Phillips assented - Mr Phillips adding that there was no reason, why they might not do it - in point of fact but that there was an inherent improbability of any such thing being done -

His Majesty - He had not better agitate that question at all - and it was ordered accordingly -

With regard to the Impartiality of the English and French Envoys at Washington - on the contrary Mr H. remarked that he had seen no evidence of interest one way or the other - and the fact being taken into consideration that this Treaty Convention having been before two sessions of Congress, it is not probable that they would take any different course than they had hitherto taken, and if they should, it would be quite immaterial on the final issue

With regard to the expression - "Why (the Ambassadors of Prussia and Russia) consent to negotiate here, on

Mr Harris said that he would like to have the instructions on this head recorded - If any such argument was to be made - he could say that Prussia & Russia - Since it does not seem to be for our advantage - the matter very obvious

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Honolulu May 17th 1869

His Excellency
C. C. Harris
Minister of Finance &c

Sir

Your favor of May 7th is duly received, and contents have our attention - In reply in same we would state that we will keep the Steamer Kilauea, in good running order, as far as Hull and Machinery are concerned, but we will not be responsible for the depreciation caused by wear and tear, nor by accident - whereby she might require a new boiler; in fact any expense to the Hull or Machinery which exceed the expense of Six Hundred Dollars, at any one time must be borne by the Government - We mean in the way of repairs -

Yours Respt.
Walker & Allen

condition however, that as soon as I shall visit Berlin and Saint Petersburgh, for the exchange of ratifications, when received from Honolulu — he is not of the opinion that the question is to that effect — There were several instances here in which Treaties had not been exchanged by the Negotiator — Mr Bunker exchanged the ratification of the Treaty with the United States — and that with Italy was recently negotiated at Paris — and subsequently exchanged there

This point was not further spoken of — Mr Phillips observed that he was about proceeding to Hawaii on official duty, and, if His Majesty pleased, would like to leave the performance of the routine duties of the office of Foreign Relations, with the Secretary (Mr Heuck) and his (Mr P.'s) colleagues would attend to whatever might need particular attention — Assented to —

Charles C. Harris

June 29th 1859

Cabinet Meeting at Iolani Palace — Present His Majesty — The King
F. W. Hutchison Minister of Finance
S. H. Phillips Attorney General —
C. C. Hasso Minister of Finance

Mr Phillips acting for the Minister for foreign affairs read the letter which had been prepared, in accordance with the views, expressed by Cabinet, at the last meeting, and despatched to Mr de Varigny — This letter had been previously submitted to Ministers Hasso and Hutchison, and was approved now by His Majesty — Mr Phillips likewise read his letter to Mr Varigny, on the subject of the Japanese, as agreed at the last meeting Dr Hutchison likewise reported the letter, which had been sent to Mr Van Reed, from the Board of Immigration, on the subject of the Japanese, & with this enclosing bill of lading were approved fully, by His Majesty —

Letters from Hon S Mott Smith, at Washington —

Mr Phillips then read a letter from Mr Varigny, at Paris, under date of March 21st covering proposed additional articles, to the treaty with France, of 1857 — which Mr V. recommends should be ratified, These articles were considered separately, together with some correspondence with Lord Lyons — the British Ambassador at Paris —

Mr Phillips regarded the articles as entirely inadmissable — Could not see, that any material advantage was to be obtained by them

except by the abrogation of the 3d Article of the Treaty of 83, and though, it would be as well to get rid of that, if it could be done without much trouble, that no inconvenience was experienced by it and its avoidance was worth very little trouble, and no sacrifice –

Dr Hutchison observed that he now observed that there was a clause, in Mr Vaughan's letter of instructions, that he might negotiate a Reciprocity Convention, but this he felt quite sure that he never had heard of it before quite lately or at least that it had made no impression, on his mind, and called to Her Majesty's mind a conversation, in which he (Dr H.) had adverted to a conversation with Mr Wodehouse, H.B.M. Commissioner by which it appeared that such a suggestion was understood to have been made by Mr V. and the British Foreign secretary (Lord Stanley) had written to Mr Wodehouse that such a proposition would be acceptable – and thought that these instructions should be modified – He thought that Mr V. was to renounce the objectionable articles, in the French treaty – more especially the 16th and the 8th as well, if it were liable to have any such construction claimed for it, as that now put forth in Mr Vaughan's letter –

Mr Phillips thought that it was possible that a reciprocal commercial arrangement might be made with France, by which this country might be benefited, but it was so exceedingly improbable, as not to merit much or indeed any discussion. But this was, by no means, such a Reciprocal arrangement, as might be within the scope of the letter or spirit of the instructions alluded to – A Reciprocal Treaty, within that meaning, would be to

consent

consent to the abrogation, or reduction of certain duties, in view of a similar abrogation or reduction by the other party—

Mr Hamo called attention to the fact that the additional article, provided that there should not be any change take place, in treaty, thus intended for 10 years, and thus though the arrangement was originally entered into, with the view of getting rid of the old Convention, which put a restriction, on the right of laying duties; it was clearly understood at the time, that the 10th Article should be denounced, at the end of the time appointed, and yet now it is proposed to renew the arrangement in 10 years, without any reason, and to bind the King for 10 years not to make any arrangement with the United States, or the British Australian Colonies— For this is what it amounts to since no country would buy a privilege which another gets for nothing, by reason of such purchase alone—

There was much more conversation, on the subject, and His Majesty whilst concurring with the opinion of his advisers, that the ratification is impossible desired that the reasons that had been adduced, here, should be clearly set forth, so that they could not be misunderstood and further that the reasons given to Lord Lyons, for not concurring with his proposition, were well laid down, and equally applicable to the propositions now under discussion—

Dr Hutchison remarked that he thought it might be well to advise Mr V. that he would do well to refer any further negotiations to Honolulu— This was not further pressed

Mr Phillips read a letter from Mr Eldridge at Lima, tendering his resignation of the post of Chargé— and recommending Mr Arthur H Wolly— Mr P. was requested

to inform him that his resignation was accepted and that an appointment of a successor would be made immediately.

Mr Phillips reported a letter from Mr Cooke the newly appointed Consul at Panama requesting the Minister of Foreign Affairs; that an application, for an exequatur should be sent to the Minister for Foreign Affairs at Bogota - It was ordered, accordingly.

Mr Phillips reported that Dr Gollner Consul at Hamburg reported that a Brig called the Queen Emma, had put in that Port in distress, having a Sea letter. That not being exactly certain, as to how he should construe the recent order - made in Council regarding Sea letters, in this instance he had allowed her to proceed to San Francisco, as he had given her a Sea letter, accordingly - instead of requiring her to proceed to Honolulu Hawaii Nei.

Major Hoschdocher writes from Paris which that he had been received as His Majesty's Representative at Munich and Baden ~~Baden~~ & Hesse Darmstadt and had been presented with two decorations one of and one of and requests permission to accept and wear the same - No one present at the Council understood that any one had been accredited to these Governments -

But Mr Phillips was requested to write advisory Major H. that there was no objection to his accepting and wearing the decorations

A letter from Henry Rhodes Esqre Consul at Victoria - bearing date of May 18th, setting forth his efforts to procure a commutation of the sentence of Peter Kekua - a native Hawaiian who had been in that Colony many years.

This man had been accused of the murder of his wife and child - and of his wife's father and mother - The first jury had disagreed; but the second found a verdict of guilty - He was convicted on his own confession, before a stipendiary Magistrate - But Mr Rhodes thought that his imperfect knowledge of English was the cause of it - and hence his petition and other efforts to procure commutation - He was however executed - Mr Phillips was directed to communicate His Majesty's thanks, to Mr Rhodes - for his efforts

The subject of Mr Vargny's letter and the Articles which had been agreed upon by him to be added to the French Treaty were again taken up - and Mr Phillips letter, which he had written in accordance with the determination of Cabinet at the last meeting - was read and approved very much - Mr P. had written to Mr Vargny two separate letters one regarding his negotiation with the French Government, and one regarding his communications with Lord Lyons, the British Minister at Paris - The letters are dated June 29th, the day they were commenced to be written -

The subject of the Steamer Kelano was taken up - and after a short conversation postponed, until next Meeting -

Mr Harris called His Majesty's attention to the vacant judgeship in the Supreme Court and His Majesty commanded that the Chief Justice should be notified to attend the next Meeting which should be held, on Monday, the 5th of July, at 12 o'clk

The Minister of Interior was advised to grant one Lease of land on Esplanade to Mr Miller - Carpenter

in view of his premises or the buildings on them, being destroyed by fire and that he will not be able to replace them very soon

July 3rd 1849
Cabinet Meeting

Present His Majesty the King
His Honor Chief Justice S. H. Allen
Stephen H. Phillips
Ferdinand W. Hutchison
Charles C. Harris

His Majesty advised the Chief Justice that the appointment of a second Associate Justice of the Supreme Court was to be taken under advisement, and invited him to give his views - saying that it seemed to him that it was quite a frequent matter that we should be obliged to meet, on the subject of a Judge. The Chief Justice, at some length, stated that the jurisdiction of the Supreme Court in this Country was very extensive embracing in practice all the branches of jurisprudence which, in other Countries, are divided among several Courts, and therefore it required a student, and a man of good education - said that he was not particular about the man, but believed that there might be such a selection from the 3 but would prefer to leave it, to the King and Cabinet - would think it would be well that the man to be appointed should understand the language of the Country - Remarked that the Judiciary had enjoyed the confidence of People at Home and abroad and adverted to a conversation between himself and Secretary Marcy, at Washington, on the subject of the Whipping a man, by the order of Mr Roberts Chamberlayne - then Police Magistrate, many years, ago

Minutes read - see page 206

Dr Hutchison Would it not be better that the Chief Justice should mention some name.

The Attorney General. This matter came upon me very unexpectedly, at the last meeting I felt very strongly about it, and think the more I reflect on it, that the appointment of Mr Widemann would be most unfortunate – The Judge should be a man of education, capable of investigation – prepared, at all times to take a position, and maintain it with dignity; and to maintain the reputation of the Court for dignity, impartiality and learning – Even the Independence of the Kingdom may be marked in the reputation of the Court for fairness and impartiality – Each member of the Court has a right to be respected in the matter of professional responsibility, by the experience, and educated opinion of his associates – Circuits are to be divided – Capital cases have been tried, but at each place where a Court may be held. Any cunning lawyer may draw a Bill of Exceptions so as to get round an inexperienced Judge – I think the appointment would be most unfortunate –

Mr Hanes – thinks the Attorney General has fallen into a mistake regarding conversations on this subject, which he was not present – No such conversations have been held, except barely to mention the names likely to be proposed but that was sometime since – before the Hawaii term –

Dr Hutchison would like to hear some person mentioned – (to the Chief Justice and Attorney General) who is the gentleman, that you would propose – I do not understand Mr Widemann's name to be

before the Cabinet, and thought it would be well that some name should be presented

Chief Justice - There is but a small number to choose from, and upon the whole I would suggest Lawrence McLelly Esq - the present Clerk of the Supreme Court. - Much conversation followed on this nomination -- and the Chief Justice suggested the idea that the place might remain vacant and say any one desirable could be obtained from abroad perhaps

Mr Harris would advise Her Majesty to make the selection from those now in the country, and did not see any advantage to be obtained by delay

Her Majesty - I have thought of the matter, and do not see any benefit to accrue from delay - and think that Mr Widdemans appointment will be a good one - in view of the present state of the Court - there being two good lawyers on the bench - I prefer him to Mr McLelly and there does not seem to be any thorough lawyer, He is acquainted with our legislation and the reasons leading to it. He is likewise acquainted with the language and the habits and way of thought of our people I liked his nomination at the first - and have thought the matter over much since and am more and more convinced that the appointment should be made -

Ordered accordingly

Charles C. Harris
Sec pro tem.

Cabinet Council at Iolani Palace

Present His Majesty the King
Messrs Hutchison, Phillips and Harris

This meeting was an impromptu one having been commanded by His Majesty at an audience given this morning to Henry A Pierce Esq, the newly accredited Minister Resident of the United States –
His Majesty remarked that the Chief Justice, Hon. Elisha H. Allen, had asked for leave of absence, to accompany Mrs Allen to the State of Maine – Mrs Allen being very unwell, and the Physicians considering a change imperatively necessary – His Majesty further observed that he had answered Judge Allen to the effect that under the circumstances he did not think any objection should be made

Charles C. Harris
Secretary pro tem.

Minutes read – Sept 2nd
See page 206

Cabinet Council – Iolani Palace
Thursday – Sept. 2nd 1869
Present His Majesty the King
Messrs. Hutchison, Phillips and Harris

Minutes read

Mr Phillips read a despatch from Mr Varigny touching a treaty with Russia and presented two drafts of the treaty, one in French and one in English –
The treaty was approved of and His Majesty was advised to ratify the same, But, in as much as, the English version contained many expressions, not current among us – from following too closely the French version – it was agreed that a new version should be drawn up

The minutes of the previous meetings which had not previously been read - were read and approved

Chas. C. Harris

correcting those expressions, and that His Majesty's ratification should be affixed to the copy so corrected, as well as to the French version transmitted by Mr Vaughan, and that Mr Vaughan be directed to obtain the signature of the Russian Negotiator to the corrected version.

His Majesty signed the pardon of George Brooks, as advised by the Privy Council.

Mr Phillips read the Journal despatch which he proposed to send to Mr Vaughan touching his negotiation with the British Ambassador at Paris (Lord Lyons) see page 192 — Likewise the letter which Messrs Harris and Hutchison had written, by command of the King to read — It was ordered that the despatch should be very explicit in informing Mr Vaughan that he should obtain an authoritative declaration in writing from some authorized Agent of the British Government that they did not claim any concession of duties from Customs which might be made to the United States or any other Nation, by way of Reciprocity from any provisions in the British Treaty contained, and on receiving here, such declaration duly signed — the ratification would be sent — or exchanged here, as might be most convenient —

Mr Hutchison again spoke of the lease of the Government land and cattle at Wainwa as having expired — This lease was in favor of Messrs Slevin, Green & Co. He thought it would be desirable in view of the fact that they still held the lease of the half of the property belonging to the Crown, for Govt to forego the rent which could be obtained — It was finally agreed that the Minister of Interior should lease

+ Description of the land referred to on opposite page

Beginning at a rock holder marked + at the extreme makai point of this land: Thence up along the centre of the Umiwai Gulch to a Kukui marked + N. W. corner of Kaniahio's Kuleana - Thence along makai side of said Kuleana - S. 85° E. 7 Chains to a rock marked + South 9½° W. 9.65 " " Kukui Thence along makai side of P.° land S 83¾° E 11 Chains to centre of Kalapahapin Gulch - Thence down along the centre of said Gulch to place of commencement

Containing 55 acres

C. Clift

the property for one year - but that he should endeavor to procure an advance for it - over the former lease —

It was agreed that the Bill for furniture of the Palace recently purchased from Mr William L. Green. should be taken to Public Account - & cept a Piano Forte - The account and items not being before the Council - it is to be - examined and audited by the Minister of Interior and Finance.

* Hamani?

The Minister of Interior was authorized to make a deed of a piece of land situated in Hanuhe - district of Hamakua - Island of Maui - to one I - the same having been paid for a long time ago - but the deed does not seem to have issued through negligence

Chas. C. Harris

Sec. pro tem.

Iolani Palace
Wednesday - November 25th
Present His Majesty The King
Messrs Harris, Hutchison & Phillips

The Minutes of the last meeting having been read were approved —

Mr Phillips Acting Minister for Foreign Affairs reported that he had transmitted to Messrs Vergny the copies of the Convention concluded by him, with the Ambassador of His Majesty the Emperor of Russia, at Paris - with an annotated copy of the English version, with a request that they would make a new copy, conforming to that foregoing —

Mr Phillips presented two letters from Mr Vergny - one resigning his

(Read Oct. 18th See Page 214)

situation as Minister of Foreign Affairs, and the other ~~giving~~ acknowledging the receipt of a joint letter written by Dr Hutchison and Mr Hanes in the absence of Mr Phillips, advising Mr V. that in the opinion of His Majesty, and his advisers, it is absolutely necessary before consenting to the extension of the British Treaty, for a further space of ten years, (seven perhaps?) to obtain some authoritative expression from the British Government that they do not claim by any construction of any of the articles of the present treaty that they can enter Good free by reason of a reciprocity treaty, that may be concluded with any third Government —

It was ordered that the Acting Minister for Foreign Affairs write Mr Vaughan for the explaining the views of the Cabinet — and advising him that His Majesty and His Advisers must adhere to their previously expressed views on the subject —

The subject of Mr Vaughan's resignation was then taken up. His Majesty expressed himself as desirous of acting toward Mr Vaughan, with great consideration — and would not like to accept his resignation, if it was merely tendered under a misapprehension — or in the belief that he would not be welcome here — and read a private letter from Mr Vaughan to himself — Mr Hanes was of the opinion that Mr Vaughan's continued poor health, and the natural wish of his wife to remain among her friends, and to educate her children in Europe was the real ground of Mr Vaughan's resignation, whatever other grounds might be incidental to, and as it were supplementary to the same — Mr Phillips said that such had been his opinion, but

that the reading of the letter by His Majesty had seemed to give a different cast to it. Mr Harris was of the opinion that the letter to His Majesty was entirely confirmatory of the view which he had expressed —

Dr. Hutchison thought that the resignation ought to be accepted, and did not doubt that it was bona fide, and Mr V. expected it to be accepted.

His Majesty would consider and make known his conclusion.

Chas. C. Harris
Sec^y pro. temp.

Saturday — Decr. 11th 1869
Iolani Palace —
Present His Majesty the King
Messrs Hutchison, Phillips and Harris

This meeting was accidental — Mr Harris having observed that two Japanese Ambassadors were in San Francisco — en route for Honolulu. Some conversation ensued about their reception and it was deemed advisable that the "Edinburgh" House (so called) should be again furnished sufficiently for their reception, and that this item of expense as well as the expenses necessarily incidental to their reception should be charged to such appropriations as might be at the disposal of the Cabinet and could properly be applied to the purpose — and His Majesty directed a note of such Resolution to be made on the record.

Chas. C. Harris
Sec pro tem —

Read Govt Secy
see page 214

N. B. His Majesty was out of town and came in for the purpose of the Council

All the papers alluded to were in the Office and will be found there referred - and consequently it was not thought necessary to copy them here

Honolulu Feby 7th 1870

H. E. C. C. Hanna - Sir. I have the honor to present to you, two documents, one in Hawaiian and one in English addressed to the Hawaiian Board of Missions in reference to the injuries suffered, and dangers apprehended by our Hawaiian Missionaries in the Micronesian Isls for want of protection - It being understood that the Govt of the United States of America is about sending one or two ships of war into that Archipelago, the Hawaiian Board earnestly desire that an application be made by you to the U.S. Minister, for assistance, in procuring redress for the shooting of the Revd Mr Mahoe by a native called Tingetop, and his being insulted and wounded, by another man called Tenaughty, on the Island of Apiang of the Gilbert group - and also for general protection of all subjects of His Hawaiian Majesty in the Islands, such American forces may visit

By order of the Hawaiian Board of Missions

Signed

G. P. Judd -

Special Committee

Saturday May 8th 1874
Cabinet met at the Foreign Office –
Present His Majesty the King
His Excellency J. Mott-Smith: Minister of Finance
" " S. H. Phillips Attorney General
" " F. W. Hutchison Min. of Interior
" " C. C. Harris " of For. Aff.
The Minister of Foreign Affairs read his correspondence with the Japanese Ambassadors, and it was resolved that means should be taken to allow the number of Japanese (40) which the Ambassadors request to return home – and that any necessary expense should be borne by the Appropriation for the Board of Immigration –

Chas C. Harris

Cabinet Meeting at Iolani Palace – Thursday May 18th 1874

Present His Majesty the King and all the Members of the Cabinet

The Record of the last three meetings was read and approved

Mr Harris then read a Communication from Hon G. P. Judd – who is a Committee of the Hawaiian Missionary Society – communicating accounts of the shooting of Mr Mahoe – a Missionary in the employ of that Society – at Apaiang – one of the Gilbert group on the 20th of March 1869 – These accounts were in Native and English – the Native account they drawn up by Mr Ka – likewise a Missionary in the employ of the same Society
Mr Judd's letter will be found on the opposite page –

Mr Phillips was of opinion that nothing should be done in the matter – thought that the spirit of the age was against visiting with vengeance people who were outside of the pale of civilization on account of injuries done by them – that if people went out of the jurisdiction of their own country, they went at their own risk – and thought that the idea of asking a vessel of foreign nation to aid in procuring redress for one of our citizens was not to be thought of – as it savored of the idea of protection too strongly –

Dr Hutchison thought that Missionaries when they went abroad took their lives in their hands, took the chances of the disturbance which might be created by their endeavors to plant and foster new ideas, which are subversive of the old – and thought that much of the disturbance and danger to which they were subject, and which they frequently were victims of resulted from the tendency to assume power to themselves which excites the jealousy of the chiefs and of those not readily converts to their doctrines and instructions – ~~further~~ respecting the idea of sending any expedition down – this would be very expensive and that the results of those things was to punish the innocent for the guilty – he would be recommend appealing to the naval force of any other country –

Mr Harris dissented entirely from the conclusions expressed by Mr Phillips and Dr Hutchison – With regard to sending down an expedition ~~to~~ and its expense it was not necessary to discuss that, since it was not proposed by any one – Yet it should be borne in mind that three sailors had been killed down there, whilst harmlessly pursuing their lawful business – (Dr Hutchison – That was because of some offence received by the King at the Cape in some of parts of the world (Prince) interfering with

some female to whom the Chief was interested)
Mr Harris - The only reason, he - himself gave
to Rev Horace Bingham - was that he was
drunk - but he was interested in making land Mr
Bingham was interested in procuring the settle-
ment, most favorable to the man - Now I
think that every citizen is entitled to the ser-
vices of the best man and the best dollar in
the defence of his life when he is pursuing
his lawful business - There is a great diffe-
rence between asking a war vessel of a friendly
power to protect us against the incursions of
some others - or even to bring them to go down
to avenge our quarrel - or an aggression on
our citizens, and asking one that is going
down to attend to the alleged wrongs of one of
theirs our citizens, who happens to be as-
sociated with one of ours in the same busi-
ness to likewise extend their good offices
to our countryman - And not pass him
by because he was our countryman
instead of theirs - If they were about to
require them to put back the property of
Mr Bingham - to likewise, at the same
time require them to make reparation
to his Colaborer - our countryman.

Mr H in referring to Mr Phillips remarks
said that he was not asking to have any
one "avenged" and that if it is a fact
that Civilized Nations would not send their
armed vessels - for purposes like this - then
the United States would not and no harm
or good would be done by acceding to the
request - But if on the other hand, they
should send, it would be a practical
refutation of the idea that it was contrary
at least, to their idea of the spirit of the
age - and there could be no reason why the
poor men down there should not have the
benefit of their protection, if it could be
obtained for them

Dr Smith thought that there was a large difference, between people that went uninvited and unwelcome into a country to revolutionize its religion or politics - and those who had been welcomed and had lived there several years engaged in spreading the humanizing influences of the Gospel and interchange of commercial relations -

N.B. The discussion was quite long -
His Majesty gave permission that a letter should be written and directed that it should be shown to him before being sent -

Mr Harris presented the draft of a treaty with Japan - and it having been formally approved of - as well as all the letters and transactions with the Japanese Ambassadors - Mr Harris suggested the question as to what means should be taken to obtain its ratification by the Japanese Government -
He said that he thought the best way was to send a blank Commission ready signed to Sir Henry Parkes H.B.M. Minister Resident with a letter desiring him to act, and to fill up the Commission with his own name - if his duty to his own Government should permit, and otherwise to fill it up with the name of some suitable person who would act -
Dr Hutchison approved of this - with the exception that he thought Sir Harry's name should be written in at first -

After some considerable conversation - His Majesty expressed his preference for sending some one from here - and mentioned the name of Col William H. Allen -

Mr Harris then presented his letter to Mr Vorigny, touching the draft of a new treaty with Denmark - which had been approved by each Member of the Cabinet individually, as well as by Her Majesty

Sept. 12th 1892

Cabinet met at the office of the Minister of Interior - present His Majesty the King - presiding - and all the members of the Cabinet

The Minister of Interior remarked that it was found that there are within the boundaries of the Hawaiian Sugar Co's Estate three lots (Kuleanas) one of 4 9/10 - one 33 1/100 and one of 19+ acres the Company offers for them at the rate of $25.00 (five dollars) per acre and he (the Minister) recommend the sale - It was ordered according that the Minister convey - for the price mentioned the lots in question, giving for them a quit claim deed -

The manner of running the Steam-vessel the "Kilauea" was next taken up. - His Majesty thought it would be well to put the vessel into the hands of a Commission House which could give her some freight - Dr Hutchison thought that she would be more advantageously run by means of a Sub Agent, After some deliberation, it was concluded that it would be better to try the plan of running her by a Sub Agent - His Majesty recommended Capt. Ballentyne, who is at present, commanding His Majesty's Schooner - the Pleiadi for Sub-Agent and said that he did not intend to press the matter -

219 - and were speedy presented to the Council for formal approval - which was unanimously accorded

Charles C. Harris

Letter from the Minister of Foreign Affairs to the U. S. minister Resident.

Honolulu, Feby 25th 1870

Sir,

Your Excellency is undoubtedly aware that many years ago, some American gentlemen went to the groups of Island which are known as Micronesia for the purpose of establishing the Christian religion there. There is, in this country a Society known as the "Hawaiian Board of Missions" which is in close affiliation with the "American Board of Foreign missions. which has its Seat at Boston, and whose affairs are administered by a body of men known as the "American Board of Commissioners of Foreign missions. Indeed I might say that this Hawaiian Board of missions is the immediate offspring of the "American Board of foreign missions. The Hawaiian Board of Missions sent some Hawaiians into those Island as Co-laborers with the Americans. They went entirely relying upon their advice & moral support of their American brethren. These Hawaiians were regularly ordained, after the manner & form of their Connection. On the 20th of March last, at the island of Apiang, one of the Gilbert Group one of the Hawaiians, Mr Mahoe was badly shot in such a manner as to (at the time) endanger his life, whilst occupying the house built by the Revd Hiram Bingham, who has been in this country for some time past. At the time Mr Mahoe was endeavoring to supply, to the best of his ability, the place of Mr Bingham. I take the liberty of inclosing a printed Slip from which you may learn some of the particulars of this affair.

The Directors of the Board here, some of whom have been identified with Mission

See Page 221

Feb. 28th 1870

Cabinet Council at the Office of the Minister of Interior

Present - His Majesty the King, the Ministers of Foreign Relations, Interior, Finance - and the Attorney General -

Mr Harris reported that he had sent a letter to the American Minister Resident - touching the injury done, at Hpakang, to Rev Mr Richoe - in March 1869 - This letter had been read by His Majesty, and each member of the Cabinet - and approved by all & Capt Mr Phillips - who thought that no call should be made, on anyone, in the matter - in any way - A copy of the letter will be found on the opposite page - This action of the Minister of Foreign Affairs was approved of -

Mr Harris remarked that he had thought more of the matter of sending a special envoy from here to Japan, and was of opinion, that the expense would be more than commensurate with the good that was to be done - and moreover thought that if Sir Harry Parkes H. B. M. Minister Resident in Peking, would undertake it, he would do quite as much, if not more than any one, who would be sent down, and was accustomed to the way of the People, and unused to the Customs of their Court - If, on the contrary, Sir Harry should decline to undertake it - an Envoy could be then sent down, if it should seem desirable

Each of His Majesty's Advisers concurred in this idea, saying - Mr Phillips, remarking that it appeared to him, a question of Expense - only - If there were a plenty of money, he would think it

enterprises in the Pacific, from the beginning, have advised me that they have understood it to be the intention of the U. S. Govt. to send a Cruiser into those Seas, with the view of looking after the interests of Commerce & civilization, and perhaps, incidentally affording protection to the American Missionaries there, and impressing upon the Chiefs & People the necessity of affording some redress for injuries done, and assurance of good Conduct for the future. Should such be the intention of the U. S. Govt., they hope that the Commanding officer may be desired to extend the advantage of his Countenance & protection to those Hawaiians likewise who may be laboring with the Americans.

The undersigned relying upon Your Excellency's frequently expressed wish to be of Service to all H. M's people, begs to say that H. M's Govt. will regard it as a renewed evidence of the friendship of the U. S. Govt., if the Hawaiians should be put upon the same footing as their American fellow-laborers, in the event that your Govt. should think it advisable to detail a vessel for this purpose, and that their Common faith will secure to them the benefit of the Countenance & Support of the Commander of such Ship

Your Excellency is aware that at the time the Missionaries went to that portion of the World the inhabitants were entirely Savage, and an American whaleship the "Triton" had been cut off but a few years before, and if these islands have been more open to Commerce and amenable to the duties of civilized life, it has been mainly due to these Missionaries, and therefore, it would seem that our fellow-citizens would stand, in the eyes of all civilized nations, on the same footing with your Countrymen engaged in the same Service.

I have the honor &c &c

(Signed) Chas. C. Harris

letter to send some one from here -
His Majesty said that he still adhered to his previously expressed opinion, but yielded to the opinion of his advisers - and directed that the necessary papers should be prepared -

His Majesty, having observed that it was time that the proclamation to convene the Legislature was issued - it was determined that Saturday April 30th would be the most suitable time - It was, accordingly, ordered that a Proclamation, to that effect, should be prepared

Dr Hutchison observed that the Ministers of Finance had been devoting considerable attention to the subject of reestablishing Sitka Island Steam Navigation, and thought it well to take into consideration, whether some money should be recommended to be placed in the Appropriation Bill, for that purpose

Dr Smith remarked that it depended somewhat as to whether Government should own the steamer or subsidize a company of private individuals and remarked that the Company over which Mr Holladay presides would undertake the service for 20 to 25 thousand dollars per year -
Mr Hanna remarked that this was a mistake - as Capt Floyd had obtained from himself all the information possible and after much delay, had expressed the trouble he had caused, but said that Mr Holladay declined for the Company to run any vessel upon which he must carry a foreign flag - or one, where the terminus was not within the territory of the United States -
Dr Hutchison confirmed this state

ment - Dr Hutchison continued that he always had been opposed to Government running a steamer and preferred to subsidize - now - if any could be found to do the work at a reasonable rate But if no one could be found he saw no other resource except to buy a vessel - That he was convinced that regular and certain communication was absolutely necessary - though he thought that people would give but little freight to Govt Boats - It would necessitate establishing a Steam-Bureau - if Government were to own a Steamer or Steamers and the want of interest in them, in charge would make it very expensive - He recommended a subsidy -

Mr Phillips thought very expense justifiable, and was inclined to think that the best plan was for Government to own and run a ship, as a mail Steamer from one end of the Bush to the other - and believed that People would send their freight, by whatever conveyance should carry it in the most expeditious, safest and cheapest manner

Mr Hanna - thought that the proper thing to do was to put up the Reliance - Dr Hutchison objected that the appropriation was intended for subsidy - to carry out the purposes of the law - passed 22nd of June 48, page 47 Session Laws of 1848. Mr Hanna replied that the only fair & proper mode of interpretation of laws is by what they say - He found the appropriation in the Bill unrestricted, and thought it to be the duty of this Council to use the authority put in their hand, for the good of the People - He observed the law alluded to, and took it for granted that the Legislature meant to direct the course prescribed by the law - and also to allow the Government the freedom of action, indicated

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by the Appropriation Bill—
Mr Phillips thought the authority sufficient but did not think it wise to use the authority immediately on the eve of the meeting of the Legislature — Mr P did not doubt that a liberal grant of authority would be made in the case
Mr Hanna objected in toto to referring again to the Legislature, for authority already obtained and resumed that it was not in accordance with the theory or practice of this Government to ask the Legislature to direct by detail of construction of any thing—
A long and discussion here sprang up, and ~~the~~ His Majesty finally adjourned the Council till to morrow at 12 M. without any result having been reached—

Thos C. Haynes
Honorary Secretary —

March 1st 1871

Cabinet Council met pursuant to adjournment, at the Office of the Ministers of Interior —
Present His Majesty the King and all the Members of the Cabinet

It was ordered that each Minister notify his subordinates that he expects a detailed account of the debits and credits in his department — Each Head of Department to judge of the sufficiency of such detail —
The Minister of Finance was ordered to request the presiding Judge to cause a like account of the Supreme Court and as far as possible of the other Courts — to be filed at the Treasury Office

It was resolved, that it was expedient that all sums should be paid into the Treasury as fully as they may be received, and that such expenses as are allowed by the Appropriation Bill, should be drawn out, by checks - which checks should be accompanied, by reasonable and satisfactory vouchers —

Steam - Navigation - Inter Island, being the next unfinished business, was resumed — His Majesty, said that the only true policy, was to consider Steamers as a part of the road and public improvements — a mode of connecting the Islands together — I think the Kilauea to be a good boat, and that she should be repaired — But if the Cabinet decline to recommend it — then a good steamer, capable of carrying a small battery should be procured — I regard it as essentially necessary to obtain Steam Communication, and that very promptly —

Mr Harris For the purpose of bringing this matter more definitely before the Council I move that the money voted on the Appropriation Bill shall be used to repair the Kilauea - immediately - or so much of it as may be necessary - and that the Minister of Finance - & the Minister of Interior be directed to obtain immediately estimates of the cost of such repairs and to proceed with them, in such a manner, as may appear most conducive to the public interests

Mr Harris regarded the authority of Parliament, in the matter of expenditure as sufficient — and thought it advisable to do something — a sufficient time had been given to reflection and deliberation, and what is now needed is action

Mr Hutchison - It may be that the Appropriation Bill contains no limitation to the object of expenditure, but there is the law - advertising and referring to the law See pp 47 and 48 Session Laws of 1888 - * That the steamer Kilauea never had been a success - that she never could make more than 3 or 4 miles an hour against a head wind, and was not fitted for the business; that it was better to get a new boat - and he thought it would be well to send Mr Stirling to Great Britain with Mr Foster to get the kind of vessel desired and he would get a good vessel.

His Majesty - You will go a long way before you will get a vessel more fitted for the business than the "Kilauea" -

Mr Phillips I think that there can be doubt that the authority is sufficient - and it appears to me that the Kilauea should be repaired but as it is now on the verge of the meeting of the Legislature, I think that we should not do any thing before consulting with them -

His Majesty - I certainly am very sorry to hear you say so -

Mr Phillips - I have no doubt that the Legislature will be very liberal on this point - they were in a mood to be so last session - most certainly -

Mr Harris - His Majesty correctly prophesied some time ago, that you never will get a foreign company to run this route for a reasonable subsidy, and I now tell you that, in the way you propose to proceed you never will get this work done at all - First there has been a delay of months to see whether any foreign company would respond to advertisements - then of more months to hear from Mr Header in Australia - then of more months

* and every one in the assembly knew that it was the intention of the Legislature to make appropriation

to learn from Mr Holladay - and so the time has gone on - and even though you adopt the authority of the Legislature at its last session - you must delay longer to see what a new Legislature will say and so on, it may be delayed until - as I said, you get none - It is neither the theory nor practice of this Govt. to consult the Legislature in such details - This Government, is, in no sense, a Parliamentary Government, and their opinion collectively, as to what kind of a vessel ought to be procured, must be of very little weight - when the opinion of the majority of them, taken individually, can be of none - The Kilauea was built of the best materials, by the most faithful and experienced workmen - for a man of great experience, who was causing her to be built, as he hoped and believed for his own advantage - and is only eleven years old

Mr Smith proposed a new vessel - Mr Hanno - again - that is not question - the question is to use or not to use the property you have - I think it a waste to abandon it - or not to use it - The further question is to use or not to use the authority which you have - I think it a wrong not to use it

The Motion having been put by His Majesty was rejected the Ministers of Interior and Finance - and the Attorney General voting against it -

Mr Hano - then as the Kilauea is of no use where she is, and is deteriorating by exposure, and is not deemed worthy of repair - I move that she be sold -

This motion was rejected without debate, by the same vote - The Minister of Interior remarking, that if the Legislature should not see fit to ap-

propriate for a new steamer, he should be inclined to fall back on the Kilawea, and had understood her to be bought, as a stand by
His Majesty - It will be two years before you get a new steamer - and that country from the time when you shd forward your order and she will cost from $[illegible] to $[illegible] and then as many people will condemn your vessel, as condemn this one.

Mr Hence then stated that some gentlemen had proposed to raise the sum of $20,000 - if Government would provide by bond or otherwise for pay - $[illegible] more or in like proportion - The sum to be expended in erecting a Hotel - which should belong to the Government and be rented at a low rent to people able and willing to conduct it as a first class Hotel - and undertaking so to do

Dr Hutchison had heard the same proposition, but did not, at the time, think it was serious -

Mr Phillips hoped the fort wasn't going to turn hotel keeper

Dr Smith - It is not a question of Government keeping a hotel - but building and being the proprietor of one

His Majesty - I think that in some way Government should grant liberal aid towards such an object

The Council without conclusion

Chas C. Harris
Minister of Secretary

Cabinet Council at
Foreign Office –
Wednesday – March 9th 1870

Present – His Majesty The King and all the Members of the Cabinet –

The minutes of the meetings of Feb 18th and of those subsequent to that date were read and approved –

The Minister of Foreign Affairs, read the answer which the United States Minister Resident had addressed to him relative to the matter of shooting Mr Dreher at Apiang – (See pp 219 and 221 –) –

Mr Harris then placed before the Council a letter of credence to H.B.M. Minister Resident in Japan – and a letter of instructions to Sir Henry S. Parkes – (copies of which will be found on pages 233 – and 235 –) which were unanimously approved –

The Minister of Interior – observed that an omission had been made, regarding calling the Privy Council, before summoning the Legislature; and referred to Article 28th of the Constitution –

Mr Phillips having read it carefully – thought it did not refer – (as far as regards the Privy Council – to the ordinary and stated calls of the Legislature, but to the Extraordinary calls – and places Mr Harris was glad to hear that Mr Phillips construction of the language corresponded with what he knew to be the intention – but ~~it thought that~~ prudence dictates the calling of the Privy Council – Dr Hotchkiss Proposed to call the P.C. who unanimously consented in, and a Council was

ordered for March 11th at 11 O'Clock. A.M. at the Palace —

The Ministers of Finance reports on accts which he had received from the Collector General of Customs, relative to the order mad see page 221 (Meeting of Mch 1st) and likewise a letter of Judge Hartwell on the same subject — Both of which were satisfactory but the Minister was advised to communicate with Judge Hartwell the objects of the order and that the preparation of the Budget and the form of its preparation were the principal objects, in view —

Mr Harris presented a letter of Henry Rhodes Esq, Consul at Victoria — covering an account of the trial and conviction of a person known as Kanaka Pete — accused of murder, by having caused the death of three Indians — two women and a man. — (see page 198) — Mr Rhodes letter suggests that some fee be paid to his Counsel — Discussed slightly — Mr Harris thought that the man had been resident of that place, since 1853 — It was not a case which made such relief advisable — Mr Phillips thought that nothing more than expenses should be paid at any rate — and was inclined to the opinion that no action was advisable —
Dr Hutchison thought that a judicious liberality was advisable, in such cases and was willing that something should be paid, but did not feel that there was any particular call in the present case — But stated, if it would tend to procure assistance, for poor Hawaiians abroad — would not object — So let it rest — The Ministers of Finance —

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Mr Phillips offered some observations to show that paying of fees, under such circumstances, would not have the effect to secure better attention to poor Hawaiians similarly situated

His Majesty did not see that it was a case calling for consideration, in view of long thereof residence in the country, where he was domiciled

Mr Harris again reverted to the Japan Treaty, and it was recommended that a Ratification should be prepared, in anticipation of the negotiation of the Treaty, definitively and forwarded to Sir Harry Parkes — and His Majesty was pleased to order, accordingly

Charles C. Harris

Honorary Secretary

Wednesday 15th 1870

Meeting at Iolani Palace

Present His Majesty the King and all the Members of the Cabinet —

The minutes of the last meeting were read and approved —

Some conversation took place regarding the late order that accounts should be rendered by the different departments, to the Treasury office in detail of gross expenditures and receipts — and allusion made to a reply note of Judge Hartwell to the Minister of Finance — but it was not thought advisable to modify the order —

His Majesty recurred to the subject of a situation for the Royal Medicia, and commu

that it appeared to be the opinion that it would cost a great deal more for transportation, and that the ground would have to be ornamented - and enclosed and kept in order, at a great expense - And when the whole He was willing that the present site should be made use of for that purpose if arrangements could be made to procure the frontage on Richards Street -

Mr Harris mentioned that he had, at a former time received a proposition from Mr Dowsett - to sell the Summer lot - for $ 6,000 - And that Prince William Lunalilo - had an award to piece of land within the present inclosure, which it was necessary to arrange for

His Majesty explained how His Highness Estate got the Award, as He thought on insufficient evidence and ground - And that the Awards had always been so treated, as was evident by the occupancy

Mr Harris replied that the Award not having been appealed against was nevertheless binding on all at this late date - And could not be controverted - And that as His Highness was willing to surrender his title for a Commutation on his Honolulu property - i.e. to make the Government title good - if the title to the remainder of his property in the City could be made perfect, he thought it a good bargain for the Government - more especially as His Highness had still some ~~thirteen~~ or more years left - to Commute - more especially as there were some questions regarding the necessity of Commutation on the part of the great Chiefs - And the Amount of money - or loss of Usufruction on which Commutation is to be eventually made - i.e. whether on the value of that - or the value of the land unimproved at the date of the Award - And - More

over the position of the holder of the title and the consequent possibility that the Legislature would free him from the commutation, under the circumstances of his present impecunious situation should not be lost sight of —

This view was that of all His Majesty's advisers — Dr Hutchison remarking that he had expressed himself always, to that effect

It was therefore ordered that a Patent issue for His Highness Hons land property, upon his executing a quit claim deed for the lot built in the Palace enclosure —

Mr Harris read two letters from Mr Walter M. Gibson — dated March 9th — one claiming that he had done service at Washington — and had been paid $300 by Hon J. Mott Smith, Chargé at the time. and requesting to be allowed $375 in addition — The claim was agreed to be inadmissible — as a claim, inasmuch as the services were voluntary rendered — unasked — And the consideration as to whether any thing should ultimately be allowed was deferred — His Majesty expressing his opinion that services, bonâ fide rendered should be liberally remunerated —

A letter from Messrs Stewart & Collie — San Francisco Feby 4th setting forth that Mr Wm H. Webb of New York was about to run a line of Steam Ships to Australia — via this Port — and asking a subsidy of 25000 per year for carrying the Hawaiian Mails to San Francisco — and $5000 for carrying them to Australia

It was ordered that they be advised that Her Majesty's Government had at present no funds at their disposal, but that the legislature would seem meet, when the subject might be considered

A letter from Mr Jacobs, dated Decr 22nd offering his services, as a director of Mines and principal of a mining School - at a salary of £500 per year - and his expenses out and back - Ordered that Mr Jacobs be informed that there was no use - hence for such an Officer -

A petition from James Chapman Master & Owner of the Brig Fusi-fy, setting forth that the Brig (Sekoma perhaps) had been unjustly seized by the United States Officers and asking that this Government might intervene to procure him some satisfaction for his damage - which he alleged to be £3000 in all -
Minister had replied that he had better sue the Officers, in the Courts of the United States - Approved

His Majesty - I think the result of our Council - last time - as regards the Inter Island Steamer - was very unsatisfactory -- I do not see that because there has been a delay in getting a steamer there should be any more - I was certain that a Foreign Company would not undertake to run one here - and somewhat blame myself that I was not more urgent in the matter, though I do not see that any or much time has been lost - for you first tried Mr Henderson - and waited to hear from him some months, and then tried Holliday & Brenham and then hoped for, and corresponded about the George S. Wright, and finally resumed in Holliday and Brenham again -

I repeat what I said at our last meeting that I do not believe any foreign Company will run the route. and I think that any vessel you may get from abroad will have as much fault found with her as the Kilandin, and I believe her to be a good vessel and she ought to be repaired and set going and that now

Dr Jones - The last time the matter was before the Council - I was not prepared - It was brought up somewhat unexpectedly, and I did not know to what extent it had been discussed before - I rely on the legal gentlemen that sufficient authority is given and their advice corresponds with my own opinion - I have examined the vessel and find her to be a very good vessel, and I have been so advised by competent judges - My voice is to repair her - and I think she should be repaired now - but I ~~think~~ would like to have this Council unanimous upon it

Mr Phillips - I think as I said before the authority is sufficient and that the vessel should be repaired; The only point in my mind was that the Legislature was here and I thought it well to refer the matter to them - But I am not disposed to insist on this point ~~than~~ more especially as I think that a steam vessel is an imperative necessity

Mr Harris said that he had nothing to add to his previous expressed opinion that it was the duty of Government to proceed with this matter at once - Except that since His Majesty called the matter up, to day, he had sent out for

for some tables of the time made by the Kilauea, during her first year — which showed that she had made the Hilo stopping at intermediate landings up and back — within the time called for the Statute permitting the subsidy — to wit in 5. 6. and seven days — mostly in 5 or 6 — reckoning her day of sailing in the evening as one day — which was not quite right — Mr Harris showed the tables — as likewise receipt and disbursement account — but hoped that if she was to run all night concur in her running — even though not quite convinced —

Mr Phillips remarked that he was quite strongly of opinion that she should be run by Government without the intervention of any other agents than the Government Officers —

Dr Hutchison — I still think that it is unadvisable to repair the Kilauea but cheerfully yield my opinion to that of others

It was ordered accordingly that the Minister of Finance proceed to get estimates and to put the work in a state of forwardness —

Chas C. Harris

Sec'y — Hawaii

April 22nd 1870

Cabinet met at the Office of the Minister of the Interior at 11 O'clock A.M.

Present His Majesty - The King and all the Members of the Cabinet

The Minister of Finance presented the text of the report which he proposed to make to the Legislature - by which it was made to appear that receipts into the Treasury the last two years were $826000 - and the amount in Treasury which at the beginning of the year was 163869.84 is now, including numbers $54000 showing an expenditure of $353869. He estimates the receipts for the next two years, at $980640 - believing placing it at what it will be collected - not at what may be - On this basis the Appropriation Bill for the ensuing two years was taken up, and considered by items, until the hour of three arrived, at which time the Council adjourned to meet at the same place, at 11 O'clock A.M. April 23d

Chas. C. Harris
Sec. Harris

These items are all brackets C.C.H.

April 23d

Cabinet met, pursuant to adjournment - and resumed the discussion of the Appropriation Bill - and after considering all the items, it was agreed that it would be advisable to ask of the Legislature an appropriation of $[illegible] It was likewise agreed that a Bill should be laid before the Legislature

Was received here at meeting here read and approved

providing for assessing the costs of opening up new streets (and roads, perhaps) in whole or in part on the property immediately, and appreciably benefitted thereby.

Some informal remarks were made by Mr Harris, followed & concurred in by Dr Hutchison and Mr Smith regarding the want of interest of the Inspector General of Schools, in the Schools of Hendon — and necessary in the other Islands. His Majesty recommended that the Board have conversation with Mr Spencer.

Chas. C. Harris
Honorary Secretary

Approved

Cabinet met at Queen's Palace at 7½ o'clock P.M.
Present — His Majesty the King presiding and all the members of the Cabinet.
The Minister of Foreign Relations presented the Postal Convention with the United States, negotiated by Judge Allen — The Minister of Interior observed that he was of opinion that if the Convention should be ratified it would be necessary to ask from the Legislature an increased appropriation for the service of the Post Office — After some conversation — the Minister of Interior observed that he did not intend to suggest that the Convention should not be agreed to — but only that the votes for Postal service should be increased. It was agreed that the Minister of Interior should require of the Legislature such increase, and unanimously recommended that the Convention be ratified —

It pleased His Majesty to command accordingly —

Mr Hanna observed that there were many Bills which had passed by the Legislative Assembly now before His Majesty and thought it would be well to consult on them — His Majesty observed — that he thought this was to introduce a new practice — that it had been the custom hitherto for the King to consider the Bills and to affix his signet to those which he approved — and withhold it, from the others — Mr Hanna replied that he thought it a good plan to enable members of the Cabinet to give to the Majesty the reasons which had induced them to support or oppose a measure — as well as to give reasons which would induce them to advise His Majesty to sign a Bill which they had opposed — His Majesty was graciously pleased to accord with this suggestion, and the Bills before His Majesty were considered — His Majesty was advised to withhold his signature from Bills creating certain district Justices and establishing a salary for them — The "Horse-tax" Bill was deferred to another session — and the Bill to make a permanent settlement on Her Majesty Queen Dowager Kalama — The remainder of the Bills, the Cabinet unanimously recommended His Majesty to sign —

The Minister of Interior said that it had been represented to him that it would be advisable to build a wharf out from the main wharf at Honolulu so that the Australian steamers might lie on one side and the Sonoma steamers on the other and thus change across the wharf — The sum of Thirty Thousand Dollars would be necessary —

It was agreed that the Minister of Interior should ask this sum of the Legislature for that purpose

The Minister for Foreign Affairs inquired what was to be done relative to a subsidy for the Mississippi Steamer. The Minister of Interior thought nothing unless there were a stopping place – but if so, thought that something might properly be done for them – Mr. Minister of Finance The sum of £2000 annually as what the proprietors of the present line asks for

Mr Harris thought that no money should be paid unless it should be found absolutely necessary for the existence of the line

His Majesty thought that the permission to use the money should be sought for – whether it should be used or not would be a matter for after consideration – This was unanimously agreed to

Mr Harris – Shall this sum merely be asked of the Legislature or shall it be pressed with whatever power we have

His Majesty I think it should be pressed upon them by all the means which you have –

Chas. L. Heavy
Hency Sec.y

Saturday, July 13th 1878

Former minutes read – The Minister of Interior desired that the word "stopping place" should be changed to "terminus" to prevent misapprehension – and with that amendment the minutes of the last meeting were approved – After this discussion of business to be approved or approved with the Council was resumed

The Ministers of Interior observed that there has been some difference of memory and opinion between himself and the Ministers of Foreign Affairs regarding the intention of the Cabinet on the Resolution last night. That the Minister of Interior had never been more surprised in his life than when he heard that the Resolution meaning a Resolution introduced by Mr Harris had been introduced — Mr Harris said that the Resolution was in conformity with the views expressed at the evening meeting at the Palace — see pp 243-244-245 — in which Her Majesty concurred — After some conversation — Dr Hutchison agreed that if "Hawaiians" in her been above written should be substituted for stopping place, for the purpose of greater certainty it would be what he would desire —

The Minister of Interior and Foreign Relations strongly urged Her Majesty to sign the Bill for a permanent settlement on Her Majesty Queen Dowager Kalama. The other Members of the Cabinet concurred, but Her Majesty declined to sign the Bill —

Chas C Harris
Hawaiian Secy

Mr Phillips desired to say that he expressed no opinion about signing Queen Kalama's Bill

C. C. H.

Read and adopted Sept 12th 1870

Sept 12th 1870

247

Cabinet Meeting
Office of the Minister of Interior
Thursday Sept. 8th 1870

Read and confirmed Sept 12th 1870

Her Majesty the Queen presiding and all the members of the Cabinet present. The Minister for Foreign Affairs read Mr Hopkins letter advising him that about 40 persons residing in Germany were making application for the flag - but that he had adhered to his instructions in 1868, and was about to use the greatest circumspection. Mr Harris read to the Cabinet two letters - from himself - one to Mr Hopkins at London and one to Mr Gossler Consul at Bremen - calling their attention to the 5th Clause of the 14th Article of the French Treaty - These letters were approved of - Mr Harris proceeded to read from Mr Gossler's letter extracts by which he said that since a letter from Mr Uhrigen advising him (Mr Gossler) that he would need his assistance in concluding a Treaty with Prussia, he had heard nothing from Mr U. - which embarrassed Mr G very much.

The Prussian Treaty was then taken up and the opinion of each Member of the Cabinet was asked. Mr Phillips remarked that though Hamburg and Bremen had treaties with this Kingdom - the provisions of which were in some respects objectionable and these cities now formed a part of the North German Confederation yet there was no clause in this cancelling the treaties with those cities - He regarded this as a most serious reason why the ratification should not take place at once. but an attempt should be made to remove the objects.

There was an unpleasant

Dr Hutchison referring to Article 4th which corresponds with Article 4th of the British Treaty — said that although he was of opinion that the Article in the British Treaty had not the force that had been claimed for it — viz to enable British goods to be free, in case that particular goods could enter free from any other country by virtue of a Reciprocity Treaty — yet in as much as the Congress declined to formally extend the British Treaty unless the explanations were made, precluding the possibility of any such claim in the future he thought that the same proposition should be made in this case — Mr Harris pointed out that the Article in question was included in the Treaties of the United States of America with several South American Republics, and cited the Clauses in their Treaties — Mr Harris likewise pointed out that there was a great difference between making a formal prolongation of a Treaty which is already in existence, and continuing by virtue of the 12 mo Clause, and omitting to make an arrangement with an entirely new-comer — Dr Hutchison while in admitting these considerations thought it advisable to make the proposition of explanation in like manner as they were made by Mr Clayton to Lord Lyons this was accordingly done and it was ordered accordingly — Dr Hutchison, in reply to a remark made by Mr Harris, that he was at a loss to know how to proceed, whether through Mr Clayton or Mr Jordan said that he would very much desire that the negotiation should proceed here — as he had often before said — Mr Harris observed that Mr Vi's correspondence with the Office was correct enough —

factory in the extreme — His omission to put the abrogating clause into the treaty under consideration was either an instance of singular carelessness — or of a total of knowledge of how the treaty might be made merely cumulative — preserving to the free cities of Bremen and Hamburg the rights which they had obtained by their own treaties, whilst taking for the whole consideration those of this present arrangement — His neglect likewise to introduce an article into the Danish Treaty abrogating the former one was a grave omission — He was advised on the point, by a letter of Feb^ry which must have arrived at Paris by the 19th of April — the date of the ~~treaty~~ treaty now under consideration and he has never taken any notice of this letter — or written one word regarding the Danish Treaty — in any of his very busy notes to the Office —

Mr Phillips — It is impossible for Ld V. now to carry on any negotiation with a Prussian Minister at Paris since there is none there — I would recommend that this be assigned as a reason for changing the place of negotiation and ratification, should it be necessary

His Majesty — I would like to have Mr Ellis's thanks for the services which he has rendered — Dr Hutchison "I dont think that he has effected any thing" His Majesty — He is equally entitled to thanks for his efforts — agreed —

It was ordered that the Minister for Foreign Affairs confirm his despatches to Vienna here ~~[illegible]~~ pressed

The Minister of Interior — Queen Hellema's Agent offers to sell her

interest in Hiiaui premises for $4,000
I do not think myself authorized to go above the appropriation – After deliberation, it was ordered
That the Minister endeavor to make a bargain within the amount appropriated – and if unable to do that, he propose to leave the value of Her Majesty's interest to Referees to be mutually chosen in the usual manner, and further to advise Her Majesty that if neither of these courses should be agreeable to her, the Attorney General will proceed to ascertain her rights through the instrumentality of the Courts.

Minister of Interior mentioned a petition of Robert Lett to have a piece of mountain land, in Kohala – Hawaii – on a lease of 25 yrs – at a rental of 25 dollars – The Minister was recommended to decline renting & apt to actual occupier – those wishing to cultivate and improve – more especially as the rent offered was so very inconsiderable – The Minister thought that generally forest land should be retained in the hands of Govt.

Application from Mr William Blundell Sayers to purchase 640 acres of land on Hawaii was recommended to be declined.

The subject of the recovery the Steamer Kilauea being taken up, the Minister of Interior thought that by virtue of the 39th Section of the Civil Code – the Ship was in the charge of the Interior Dept – After a considerable discussion, in which the Ministers of Finance & for Foreign Affairs took views entirely

different from those expressed by the Minister of Interior — His Majesty commended the Attorney General to examine and collate the laws touching the subject and to report at a meeting to be held at the Interior Office on Monday at 12 M.

Monday Sept. 5th 1870

Cabinet met pursuant to adjournment at the Office of the Minister of Interior — His Majesty presiding — and all the members present

Mr Harris requested the advice of Cabinet regarding the stipend of Mr Hopkins Consul General in London, who has been paid at the rate of $800 per year during these last thirteen years, but for whom no specific appropriation was made by the last Legislature — Mr H. read his last letter to Mr Hopkins, in which his zeal was acknowledged and desired the opinion of Cabinet as to whether Mr Hopkins should not be paid out of the fund at the disposal of the Foreign Office — His Majesty much regretted that the appropriation for this salary had been allowed to be omitted, and thought that there was a great difference between ceasing to pay one, against whom no objection could be urged, and who had received his pay for a long time, and refusing to provide a salary for a new place — or a new incumbent — Dr Hutchison thought it desirable at all times to have a paid agent in Europe, upon whom Govt might call without thinking that they were doing him the slightest injustice — And more especially at this time when two powerful nations are at war, and other nations may be soon involved in their quarrel

Read and approved Sept. 12th
R.C.H.

The Minister for Foreign Affairs was therefore advised to continue Mr Hopkins stipend and to pay the same out of the general fund at his disposal.

The Minister for Foreign Affairs communicated a letter from Judge Allen by which the Judge asked for a remuneration on account of his extra expenses at Washington but did not mention the sum. Stated that he had sent one thousand dollars (£200) and would like to ask the opinion of Cabinet as to whether he should send more - and whether he should charge this sum directly to the expense of Foreign Missions - or should hold it in suspense until Judge Allen's return. Dr Hutchison did not understand why any allowance should be made. The Judge asked for leave to go home with his wife on account of her health. He was not sent abroad on service but offered to do what he could. Had now been absent a year - and had drawn his salary all the time. For his own part he (Dr H) did not approve of officials going abroad for long periods. Mr Phillips would rather be excused from giving his vote, but if he must, he felt obliged to say that the Bench ought to be full - and great inconveniences arise from the absence of the Chief Justice, in the matter of appeals - for practically one Judge decides since if the other dissents an appeal - no overrule is pronounced unless the Judge consent to overrule himself. - Thought the Judge not entitled to extra allowance.

Mr Harris & Mr Smith were of opinion that the Judge had done good service and that results were no gage of labor or diligence - Expense of transient living as

Washington is very great — Mr Hanes further remarked that he thought much good to the Country was obtained by its Officials going abroad from time to time — both by bringing them in contact with others generally, and in this instance, by showing governing men the style of men that are assisting His Majesty in governing this Country and quoted from Mr Allen's letter on this subject — Even our own agents dare not speak with the certainty that those men, who have recently from here, and are actually engaged in doing the business of the Country Every one knows when such an one speaks he speaks of that which he actually knows — and further that he is fully possessed of the views and confidence of Govt."

Mr Hopps — Upon the whole I think I will keep the item in my own — please acct for the present —

His Majesty — I think it should be paid at once —

Mr Phillips then read his report of the subject of the Kilauea as follows —

To His Majesty, the King

Sire;

I comply with your Majesty's command, and state an opinion as to the right to manage the Steamer Kilauea. I feel bound in doing so, to ignore all questions of expediency and personal considerations, and express merely what after careful study and reflection seems to be the strict rule of law.

The Steamer Kilauea, having been purchased with the funds of this government, is now the property of the government. The recorded bill of sale was given to Mr Harris, who, at the time of purchase, was the Minister of Finance, "for the use and benefit of the Hawaiian government." It does not seem very important in whose name the bill of sale was taken, for enough appears to identify it as a purchase for the uses of the government, and if the proper officer is not named as a trustee, the error may be corrected by a new Conveyance.

The Steamer being therefore government property the question for consideration is whether the care and management of her is entrusted by law to any particular member of the Cabinet.

Reference is naturally made to the 39th. Section of the Civil Code, from which it is clear that the Minister of the Interior shall have charge, among other things, of all government vessels not expressly placed in the charge of some other officer.

As it is unquestionable that the Kilauea, which has been purchased with government funds, is a government vessel, it follows that she is to be under the charge, custody and supervision of the Minister of the Interior, unless expressly placed in the charge of some other officer.

The words "charge, custody and supervision" are so broad that the statute must be thought to have placed all such property under the direct superintendence of the Minister of the Interior, unless some other superintendence is indicated by a positive law or equally authoritative act. The authority of the legislature to pass such law as results from the

48th article of the constitution.

Has this superintending authority of the Minister of Interior been limited by any law or other authoritative act?

1. Unless a certain clause in the appropriation Act of the Legislature, just closed, can be relied on, the authority of the Minister of the Interior has not been divested by law. No such law can be found in any part of the Statute book. On the contrary, numerous laws indicate that the superintendence of interisland steam navigation pertains exclusively to the Department of the Interior. Act of 7 March 1859 Sect. 8. Act 21 Aug.st 1860 Sect. 1. Act 25 July 1862 Sect. 8. 9. Act 27 June 1868 sect. 2. 3. In fact, the legislation on this subject is uniform, unless we regard as exceptional the item in the appropriation Bill of the last Legislature, which is similar in language to one inserted two years ago.

The item is

<u>Inter island steam navigation</u> $25.000

It is hard to understand that an item in an appropriation bill of so summary a form necessarily transfers from one department to another the superintendence of steam-vessels, and that too in the face of the explicit language of the Civil code. It is notorious that the position of these items is but lightly regarded by the majority of the members, and the records of your Majesty's cabinet disclose a conflict of opinion among the Ministers, which will account for the unwillingness of either of them to disturb this matter in debate. The item in regard to steam navigation to Kauai, seems to indicate that before any money is expended at all, the sense of the cabinet shall be ascertained upon the single question whether the Kauai business shall be undertaken or not. In other respects, nothing in the item sheds light on the question of department

jurisdiction except as to position under the Financial Head.

The appropriation Act is not a general law, intended to revolutionize the whole civil code, and to intermix, in one and the same act, such things as have no proper relation to each other. If so, it would expressly conflict with the constitution, Act 77. It is merely the biennial legislature warrant for the payment of money, without which the public monies cannot be expended. Act 78. This authorization to pay money, although conferred upon the Minister of Finance, is not inconsistent with the management of the business by another department. Thus in 1868, although the appropriation Bill, under the head of the Department of Finance, contained a similar item, an express statute was passed placing the control of subsidizing Steamers under the Department of the Interior. Act of 21 June 1868. Had the Minister of the Interior made the contracts contemplated by that act, he must have relied upon the appropriation in question for his means, and although it would have been incumbent on the Minister of Finance to draw the money, his refusal to do so, after the action of the Minister of the Interior would be simply factious, and not to be thought of. The appropriation act of the present year contains an item of large amount looking to a subsidy of an Australian line, but placing the expenditure in the discretion of His Majesty's Cabinet with the approval of a Majority of the Priy Council. The position of this item in the Department of Finance will not justify the head of that department in disregarding the action of the two councils referred to.

In fact, I can see nothing in the

Continued to page 259

Mr Harris differed from the opinion of the Attorney General in this — In his opinion the words "unless expressly placed in the charge of some other officer" is fully satisfied by this Council so placing it — The Custom House and Bonded Warehouses are in charge of the Finance Dept — yet no statute was ever passed to make them so — This Ship was bought by order of this Council, after a warm debate, in which all parties by the Finance Minister, out of funds placed in his Dept by the Legislature See ; the funds out of which she is to be run were subsequently placed deliberately, by this Council in the list of Appropriations, under the Finance Dept — certainly with the idea that she should be run by that Dept — If there exists the objection, which this opinion sets forth, it is certainly strange that neither of the Members of Cabinet now setting their faith made them then — Sir Phillips I freely say that I take to my self some blame for not doing so — but I had not given it the attention that I have felt called upon to give it, since this controversy arose — Mr Harris — But I say that the opinion then acted upon was correct — And Mr Harris proceeded to say that the Legislature well knowing what had been done and how it had been done — put the funds from which the Ship is to be run on the Finance Dept — And he and he alone is responsible for "the proper disbursement of these Appropriations" according to law — See Sec 49 Civil Code — Besides the course which has been adopted has naturally led the Ministers of Finance to form plans and make pledges — which not pledges raise expectations which will natur-

rally place him in an embarrassing situation — Dr Hutchison — Such is further from my wish and I do not doubt that on talking it over, in a friendly way as we have always been accustomed to do — and as I always intend to do an arrangement satisfactory to all — will be arrived at —

Hon Mr Cayley — I think this matter has been somewhat unexpected — and if so the gentlemen will return to reflection the better — The only reason why it was proposed to the Minister of Marine was because it was thought to be disagreeable to the Ministers of Interior to carry it on —

Mr Blake — If Mr Cayley sees that your Interest is equally divided — what order shall be entered? Whether the Minister of Interior take charge of the Ship — But I think thanks are due to the Minister of Marine for the trouble that he has taken in the matter

Dr Hutchison — I do not intend to blame that I was earnest against buying the Steamer — On the contrary, I acceded to it at once — though I was earnest, at the time against Government owning and running her — at the risk and expense of Govt.

Chas. C. Athertons

Hon. Sec.

position of this item to control existing laws as to the "charge, custody and supervision" of the inter-island Steamer. The head of the Finance Department is responsible for the correctness of his drafts and the disbursement of his appropriations. Civ. Code Sec. 477. But this responsibility is certainly satisfied by paying the money to the Department of the Interior, if the superintendence of the Steamer belongs there, and the Minister of Finance can always shield himself behind the signature of the Minister of the Interior.

It may be added, that the general principles upon which the Departments of Interior and Finance are organized sustain this view. The former department was evidently intended to manage the public property and to control the whole system of internal improvements. The latter is a fiscal agency for the collection, custody and disbursement of moneys. Civ. Code. Chapter VII. IX. The duties are as distinct as those of the managing agent and cashier of a large corporation. Even the names of the departments, according to the understood use of language indicate this.

2. I have not been referred to any authoritative act, other than a statute, by which the authority of the Minister of the Interior has been displaced. In fact, I do not see how it can be, except by law. The offices of the Ministers are created by the constitution, and the general arrangement of their duties, under the constitution, is within the legitimate province of the legislature. When it has been desired to change the organization of departments, or to transfer any of their powers it has been done by the legislature. A familiar example of this was the act of 1868 "to transfer the supervision of the police and executive officers

of the law from the department of the Interior to that of the Attorney General."

It may be suggested that the cabinet council has some such power: But it is never the Cabinet council which acts. It is your Majesty, advised by the Cabinet, and the authority is that of your Majesty alone. In fact, the Ministers are treated by the constitution merely as special advisers in the Executive affairs of the Kingdom, and His Majesty would hardly desire to mingle or confound their duties, any more than to enlarge their number and create new Ministers not enumerated in the constitution, such as Ministers of Justice, Religion or Public Instruction.

But even if the power to place the superintendence of the inter-island steamer in the department of Finance, might be exercised by His Majesty, in Cabinet council, it does not appear to have been exercised. The mere vote that the Minister of Finance purchase the Steamer; and the actual delivery of the bill of sale in the name of the Minister establish nothing. As the appropriation stood, the Minister of Finance must draw the order for the money, and the vote amounts to little more than an order to do so. There was no vote authorizing the bill of sale to be executed to the Minister of Finance, nor does the fact of such execution seem to have been brought to the knowledge of any member of the cabinet, or to have been approved by His Majesty

A vote of March 1st. (p. 228) moved by Mr. Harris was "that the money now on the appropriation bill (the same being in Finance Dept.) be used to repair the Kilauea immediately, or so much of it as may be necessary, and that the Minister of Finance or the Minister of the

Interior be directed to obtain immediately estimates of the cost of such repairs and to proceed with them in such a manner as may appear most conclusive to the public interests." This vote failed, but indicates, if it indicates anything, that in the opinion of the mover, the authority of the Minister of the Interior was at least equal to that of the Minister of Finance. On March 16, after discussion, "it was ordered accordingly, that the Minister of Finance proceed to get estimates, and put the works in a state of forwardness." This is the only action in the cabinet, except approving the draft of an appropriation Bill, involving the position of the item so much criticised, and it is impossible to imagine how it can control the statute provision, relative to the charge, custody and supervision of government vessels. Even if the cabinet might transfer the business from one department to another, they have not done so, but merely provided for obtaining estimates and getting the repairs forwarded.

It is however, matter of notoriety, that without opposition from the Minister of the Interior, and with his apparent acquiescence, or at any rate, without the direct assertion of any claim till quite recently, the whole charge of repairing the steamer has been exercised by the Department of Finance. It is idle to speculate on the causes or significance of this proceeding, which may have been referable to difference of opinion, or contemplated action by the Legislature; but when the question of authority is brought to an external test, and an opinion is demanded upon grounds of strict law, it cannot be assumed that the boundaries of departments are changed, because one Minister assumes and another yields; and I act leave to say

in all frankness, that if this duty belonged to the Department of the Interior; I think its Minister and no one else should have undertaken it. The proceedings, up to this time, appear irregular to this extent. But irregularities do not establish precedents or other laws, and Ministers by a tacit agreement between themselves, (even though the effect of that agreement be publicly known) cannot reorganize the government or change the duties of the constitutional advisers of the King. Being required to express an official and professional opinion upon the case as it stands, I feel bound to say, as a matter of strict law, that the superintendence, management and control of the Steamer Kilauea, notwithstanding all that has taken place, pertains to the Department of the Interior; and that it is the right and duty of the Minister of that Department to assume the charge of her. It is so obviously fit and proper that he should take the advice of the Cabinet in this matter, that it is almost impertinent to suggest it; and a similar delicacy restrains me from entering upon the duty of the Minister of Finance in disbursing the money appropriated, although his order is indispensable to obtain it from the Treasury.

Your Majesty's dutiful Servant,

(Signed) Stephen H. Phillips.

Honolulu Sept. 5th 1870.

Sept^br. 22nd 1870

Cabinet met, at 12 O'clock at the Office of the Minister of Interior

Present His Majesty the King presiding
Messrs Smith, Hutchison and Hanna
and Phillips

Queen-Dowager Kalama - Relict of His late Majesty Kamehameha 3rd had deceased on the 20th - and it was resolved that a public funeral should be ordered - to take place at as early a day as might be practicable - The expenses to be under the direction of the Minister of Finance who should be guided by the Governor of Oahu - and it was further

Resolved that the Minister of Finance be and is hereby advised to charge the expenses of the said funeral - to the appropriation made by the Legislature for the support of Her Majesty - and it was further

Resolved - That the expense of such funeral - is to be as economical as is consistent with the Rank and Station of the deceased

[illegible]

[illegible]

The Minister of Interior - An armed party was landed yesterday from the United States Ship "Shenandoah" to proceed to the United States Consulate, to lower the flag of that Consulate as a marked respect in the death of Queen Kalama - Of course, this is entirely friendly, but still I think it should not pass unnoticed since if such a thing takes place for one Chief, it may for another

Read and approved Monday 10 Oct 1871
C.C.H.

and a precedent may be a troublesome thing

Mr Phillips concurred with some remarks to the effect that such a thing was a clear violation of law

Mr Harris had no objection to having a conversation with the American Minister on the subject, and with Capt Napier — but thought it quite unnecessary to make any complaint on the subject — A precedent in order to be of any value — must be under like circumstances — and the necessity of providing against a precedent where a Queen's decree and a many years in Port — and the consul of the Nation to which the Vessel was belongs neglects to lower his flag — and the Captain undertakes to oblige him to do it — such a necessity is not very urgent — and more is peculiarly inopportune and unnecessary to complain in such a manner as to be friendly, though it may be misjudged — It was Resolved that the Minister for Foreign Affairs should have a conversation with the American Minister Resident and Capt Napier — pointing out the irregularity

His Majesty — I think that the practice has been to run through the Appropriation for Public Works in Council and see what works should be undertaken in view of the means at the disposal of Govt and how means, for carrying on those works which may be necessary or desirable should be provided — This

practice is a most excellent one and I think it should be continued

I think favorably of the Govt building a Hotel - and desire that the Members of the Cabinet think over the matter of Public works - and I will meet them at this Office - on Wednesday next at 12 M.

Chas. T. Harris
Secy - Cabinet

Wednesday Sept 28th

Cabinet met at 12 M. at the Office of the Minister of the Interior. - Present His Majesty the King Presiding Messrs Harris, Hutchison and Smith

The subject of a Govt House was taken up, and it was resolved that the Military barracks opposite the Palace, in King Street were the most eligible - and His Majesty offered to put the interest of His late Mother's Estate to a valuation of Officers - it being suggested that the Board of Education - which three members - viz Messrs Booth, Harris and Hutchison were present would have for the School lot for another site - and the rest of the frontage can undoubtedly be obtained - The Minister of Interior was requested to attend to this matter of lots and cause plans and est of a Govt House - but of a palace to be prepared as promptly as possible

Chas. T. Harris
Secy Cabinet

N.B. This meeting appointed Sept 22nd for the following Wednesday

The Hawaiian Government
to Francis Gay
Board of Education

Received and approved Sept 30th
1871

did not take place.

Decr 5th 1870

Cabinet met pursuant to an order from His Majesty, at the office of the Minister of Interior at 12 M.

Present His Majesty the King - presiding -

Messrs Hutchison, Harris, and Smith -

The subject for consideration was the building of a Hotel at the public cost - Dr Hutchison remarked that he had been averse to any such undertaking, but had become convinced that it was quite useless to expect that any such enterprise shall be undertaken by private parties, and upon the whole thought it wise that it should be undertaken by Government -

After much discussion it was resolved - That it was advisable to commence a building for this purpose of stone or other incombustible material, and that the Minister of Interior be charged with the duty of procuring plans; and it was further resolved that the expense should not exceed say ($50,000) Fifty Thousand Dollars. - And further that the necessary funds should be procured, by issuing Hotel Bonds - or stock, and the Minister of Finance be charged with the duty of procuring funds -

His Majesty expressed a hope that all would assist, in any way that might be advantageous

Chas. C. Harris
Hony Secy to Cabinet

Rec'd at Meeting Mond 20th 10/11
Mins approved C.C.H.

Ottawa May 16th 1871 (Tuesday)

Cabinet met pursuant to a summons from His Majesty at 12 M at the Office of the Minister of Interior

Present His Majesty the King presiding —

Messrs Smith, Hutchison and Harris

The Minister of Interior: I desire again to call attention to the manner in which the money is to be raised to build a Hotel, as resolved at the last Meeting. It does not appear to me that it would be prudent to use any of the money authorized as a general loan for that purpose, as we shall need all the money so to be raised for purposes contemplated by the Legislature — and indeed I am not sure that it would, in view of the law, be justifiable to such a use — and therefore I hardly see how it is to be raised unless we give our own security for it —

Mr Howe thought that all difficulty might be avoided by giving certificates of Hotel Stock - which would be secured upon the building and lot upon which it might be situated - and those who may advance the money will be further secured by the faith of the Executive Government, which has never yet failed to be redeemed — Mr H was under the impression that this was the plan before the Ministers of Finance thought that it would be possible to raise the money among the citizens without interest, by pledging the faith of the Govt to redeem the same in (say) five years - He had heard several citizens speak favorably of such a plan.

His Majesty - and the other Members of the Cabinet expressed considerable doubt that such a plan would be efficacious - But it was resolved that the Minister of Finance have some time (say a week or more) to try his plan, and if he finds the other plan should be pursued

The Ministers of Interior reported plans for the Jail Building - which were generally approved of - but some changes, being thought advisable - the Ministers was advised to cause them to be so changed - as experience in carrying them out - might indicate to be advisable

The Minister of Finance - said that he had received two applications for the Australian subsidy - which he presented - one from Mr H. H. Hall of Sydney - and one

* at the last meeting

one from Mr Webb of New-York —

His Majesty — I do not think that any thing should be done in this matter — at present — at least until we hear decidedly, from San Francisco

This was concurred in.

The Minister of Finance reported Balance in Treasury — Seventy Thousand (70,000) Dollars

The Minister for Foreign Affairs — read a despatch from H. B. M's Commissioners as well as a copy of a Communication from Earl Granville — H. B. M. Minister for Foreign Affairs — urging a compliance with the understanding between Lord Lyons — H. B. M.'s Ambassador at Paris — and Mr Varigny — touching the Extension of the British Treaty — Mr Wodehouse's despatch is dated Dec^br 31st 1870 —

Mr Hanna likewise read his answer to Mr Wodehouse — which is dated January 4th 1871 —

This Answer was approved of and the Minister was advised to continue in the same manner

Chas C. Harris

Sec. Cabinet Council

Monday March 20th 1871

Cabinet met at 12 o'clock M — at the Office of the Minister of Interior

Present His Majesty the King presiding

Messrs Hutchison, Smith and Harris

The Minutes of the last Meeting were read and approved

The Minister for Foreign Affairs, remarked that all his foreign correspondence had been reviewed by His Majesty before sending the despatches - and therefore he had had the advantage of the advice of the other Members of the Cabinet - but he now placed before the Cabinet his letters to Her Brittanic Majesty's Commissioner - touching the British Treaty and the agreement entered into with Lord Lyons at Paris, by Mr Ulrigny - likewise to Mr Henck, touching the Danish Treaty - and Mr Gosler touching the North German Treaty and to Mr St Julian touching Fiji - and to Sir John Bowring - and Mr Hopkins - all of which were approved —

Read and approved Aug 18th
Chas C. Harris

The Minister of Interior - said that though there was no immediate necessity of issuing the Bond authorized by the Statute of 1868 (see page 88 of the Session Laws of that year) yet there soon would be such a necessity, more particularly if the public buildings should be proceeded with -

It was therefore resolved that the Minister of Finance be authorized, and he is hereby authorized to issue Bonds - in accordance with the Statute passed the 23rd day of June 1868 - as per page 88 of Session Laws of that year - in such sums and on such terms, and for such times and in such form as may be for the public interest notwithstanding the provisions of the Statute

The Minister of Interior — I have advised with His Majesty, and my fellow Members of the Cabinet regarding the advisability of selling 500 acres of the land, which has heretofore lately been used for the Makawao School — to James Makee Esq at his offer of $5.00 per acre — for the purpose of putting up a Sugar Mill — His Majesty and my Colleagues having concurred in my view that it would be well to sell it for that price and for that purpose — I have done so — but would now like a formal ratification — There are about one hundred and fifty acres fit for sugar planting — the remainder is good for pasturage —

The action of the Minister in this respect was fully concurred in

The Minister of Interior presented the plans for the contemplated Government building, — and stated that he was fearful that the buildings if carried out on the plans would cost beyond the appropriation — Suggestions had been made to him to carry on the work in broken blue — or mountain stone — which would reduce the cost somewhat — Mr Hanna was of opinion that it would not be of any consequence if the building should run over the present appropriation, provided the building was suitable and a creditable structure — That before the building could be completed new appropriations could be sought and obtained — This was fully concurred in — His Majesty remarked that he would be sorry to see an attempt to put the building up in broken stone and much preferred the

concrete - and much desired to see the work commenced immediately and pressed on, as rapidly as possible -

The Minister of Finance -

On the subject of the Hotel - the obtainment of the funds for which was committed to me - at the last Cabinet Meeting - the amount subscribed now amounts to $10500 - and I am promised from a five thousand more from Manitoba - and I have confidence that if more shall be needed in the progress of the building it can be easily obtained from the same sources - I have not called in any of the money, but I propose to do so, as soon as we are in the condition to go on with the building - At the last meeting, it was resolved that "the Minister of Interior "be charged with the duty of procuring "plans etc" - but in a conversation subsequently - I observed that this was not in any just sense a public building - at least until it should be assumed by the Legislature - and that we were all equally responsible for it both in the eyes of the Public and in point of fact - and in as much as I had taken great interest in it - and had been urgent in collecting the money, I would like to press it forward - The day after this conversation the Minister of Interior was good enough to say that he concurred in that view, and was willing that I should take charge of the work.

Many lots have been offered - but I have thought that the premises recently decided by Hon Isaac Montgomery to Roman Catholic Church - On Hotel, Richard and Alakea Streets most preferable - a view in which the Mayor and my Colleagues were understood by me to concur - This lot was offered at $11000 including buildings and new fence not yet put up.

Mr Harris and myself thought it best to conclude the purchase - Mr Harris subsequently purchased one half of the lot Mauka, between this lot and Beritania Street - being the interest of one of the heirs to the lot - This gives an entrance on four streets, at the four different points of the compass -

Mr Harris - But it should be understood that this Council is not committed by this purchase for if it should not be thought desirable to adopt the purchase - I am perfectly willing to keep the lots -

Dr Hutchison I think the lot is cheap or at least reasonable considering all things - situation, size etc, and is very suitable for this purpose

His Majesty - There can not be a doubt about it - It is the best situation in town -

It was therefore resolved - That the purchases made by Dr Smith & Mr Harris of lots from Bishop Maigret and Kalama - the same being on Alakea - Beritania - Richards and Hotel Streets be assumed by this Council, and the same devoted to the building of a Hotel thereon and that the same be paid for by the Minister of Finance, by the authority of this Council -

It was further resolved - That the Minister of Finance is authorized and requested to call in assessments of the subscriptions - in such sums as may be necessary or convenient and to make therefor bond in conformity with the agreement entered into with the subscribers

The Minister of Finance [illegible] by

showing some plans for a building - stating however that he expected some others - which were not quite read

He said that there had been much discussion as regards the material of which the building should be constructed - Some were for wood and others for stone or brick - The arguments in favor of wood were comparative cheapness - the difference in cost being said to be equal to thirty per cent - greater safety in case of Earthquakes - and the quicker time in which it could be put up -

Dr Hutchison remarked that in his opinion the time had passed when public buildings - or those pertaining of the nature of public buildings should be put up in Honolulu of wood -

His Majesty did not think that the question was susceptible of debate

The plan before the Council was much approved of - and it was resolved That it was advisable to proceed with the stone or concrete, and though the plans before the Council were good and worthy to be adopted - yet others might come which would render it advisable to modify or which might be substituted - and it was eventually resolved "That the building should be "proceeded with forthwith in Concrete and "steps taken for that purpose - and that "the plan before the Council might be "adopted or such modifications made as "might appear desirable on personal "consultation"

It was further resolved -
That the Minister of Interior be and is hereby authorized to complete the purchase of the Mililani premises so called on King Street for the purpose of erecting thereon Government buildings - and the Minister is likewise authorized to negotiate for the purchase

of the lot, in front of the School House the property of Prince William Lunalilo, or for at least as to obtain the refusal thereof at a price."

His Majesty - I have here the accounts of the Steamer Kilauea - by which it appears that if she plays an Agent she would or does run behind by the amount of his salary - Dr Hutchison explained that it was true by the showing at present - but that the weather had been exceedingly unfavorable and he did not doubt that on the return of fine weather, and during the Summer Months she would pay herself -

His Majesty - I see that there is a deficit of $1148.+ on her trip to Ocean Island and I thought all her expenses were paid, or were to be paid, by the United States Govt -

Dr Hutchison explained that in making up the account for the Playmates of the Sagineau - to wit 1411 tons of Coal were charged at 9.00 per ton - that being the amount said to be used - whereas 180 tons were used - which cost $4.00 per ton - thus making a deficiency $720.00 - His Majesty - well - which makes the remainder of the deficiency - Dr H. I did not include a Bill of Dodd & Leyton's for $333.+ which will be found there - because the United States put on board supplies for their own people - His Majesty - Yes but our own people must live, and in looking over the account and the items it seems to me very reasonable -

It likewise appeared that there was a credit of supplies returned, amount to $115.+ - Dr Hutchison further explained that the balance of the deficiency arose from underrating the daily expenses, which had been taken at an average of the expenses of some weeks previous to the ship commencing the trip - and there had been more than they were to turn

ted at, because all the expenses of the previous trip had not been charged up at the time

Mr Harris said that if it were deemed desirable, he would request the Minister Resident of the United States to certify a supplemental account - stating to him that Messrs Judd & Lay had a account as well as the 40 tons of Coal had been omitted - After some little conversation on the subject, this was not deemed advisable, and it was concluded to let the matter pass -

His Majesty however expressed his opinion that it would be well to appoint an Agent -

Wm. C. Harris
Sec Cabinet Council

Tuesday August 2nd 1871
Present - His Majesty The King
The Minister of Interior
" " Finance
" " for Foreign Relations

The Attorney General is absent on Hawaii - His Majesty has been residing for several months on Molokai -

The Minister of Finance said that he desired to present for consideration a letter from Capt. L. Green by - Agent for Mr H. H. Hall's line of Steamers, making further application for subsidy. The Minister said that the advances made to Mr Hall now amount to $12695 - Four thousand of

Read and approved
Aug 2nd 1871
Wm C Harris

which was cash authorized by the Privy Council and the balance amounting to £8195 consisted of coal advanced and that in so reckoning coal One hundred and fifty tons of contraband furnished for the Quanga Wanga was not included — and thereupon he desired advice as to what to do about future assistance — The Minister was advised to inform the Agent Mr Hall that the equivalent of the coal supplied for the Quanga Wanga must be returned from their next remittal — and further that he would recommend the Privy Council to give him authority to absolve Mr Hall from the necessity of paying for the other coal which he has received; and they could not expect any more aid until a regular authority had been granted by the Privy Council —

The Minister for Foreign Affairs presented a despatch from H.B.M. Commissioner Major Wodehouse to the effect that the British Govt would not insist upon the declaration signed at Paris between — or rather by Lord Lyons and Mr Vargny — on the 29 day of June, 1869 — Mr Harris read his despatch in reply to Mr Wodehouse — dated — July 31st current and this was approved of

Mr Harris then presented a communication from Mr Eugene Hasslacher Hs Majesty's Consul General for Austria to the effect that he had learned in a confidential way, that

the Austrian Govt was about to send some testimonials of consideration for hospitality extended to their Ship "Donau" and to their Legation which was on board that vessel, and that the Minister had said to him that the Austrian Govt would be willing to enter into Treaty relations with this Government and tendering his services to go to Vienna and effect the Negotiation —

Dr Hutchison was very much opposed to carrying on any further negotiations in Europe — thought that Mr Vaigny's negotiations had only been a source of trouble and embarrassment and that it was much better if the Austrian Govt were desirous of entering into Treaty Relations with us, to do so here — That he had heard that another ship was on the eve of leaving on a like expedition as the "Donau" —

Mr Hamm said that he no very strong opinions on the subject, but that if a Treaty was desirable, there would be no difficulty in making it just as might be desired — Indeed he was making a draft, which might be submitted — Dr Hutchison — "There certainly is no great hurry for any Treaty with Austria" — Mr Hamm Mr — Yet I do not learn from any reliable source that a Ship is coming here — and if it does — it may be some years from now — It is wholly a question of Expediency — And Certainly one would think that they would have so much occasion for a Treaty as we" — Dr H. But they have expressed no desire to make a Treaty — And have made no acknowledgement for hospitality shown their ship the "Donau" — Mr H. I have so

"I pressed myself to Mr Heuschlifferdon
"if it should be concluded to send him an
"authority I should not wait him until to
"see it unless he should receive so acknow
ledgment and intimation of a desire to enter
into Treaty Relations" Dr H. – "I think
that when such is received here – it will be
simple time to think about sending an
authority to make a Treaty" –
His Majesty – I think that Treaty Rela
"tions with the Great Powers are desirable
"for us, and that no good can result from
"delay – I do not see why our Agents may not do
"as well in Europe – Certainly Sir John Bow
"ring did well in Italy and Spain – and then
"for I think that authority should be sent
"on to Mr Hanbury –

The Minister for Foreign Affairs – "I
desire that Your Majesty and the Gentle
men of the Cabinet should take into con
sideration the advisability of giving
notice to France that we shall annul
the unnullable clauses in the French
Treaty – more particularly that fixing
the Tariff on Wines and Liquors – It
will be necessary to advance the Tariff
during the next session of the Legis
lature and wines ales etc are very
proper subjects for this advance –
I do not desire to press the matter
now, but at our next meeting shall
do so – The Minister of Interior
"Are you sure that the French Govt
will take the same view regarding the
declaration signed by Mr Parsons
at Paris that the British Govt
has?" Ans – "I am pretty sure,"
"But if they should not do so it
will be a much stronger reason in"

my mind for giving them the notice so that they may not lose sight of the fact that we do regard that declaration as void."

The Minister of Interior read a letter from Mr Clark on behalf of the Western Union Telegraph Co. asking that they might have the exclusive right of landing a telegraph cable on these Islands for a number of years. The Minister was advised to reply that though this cable would be welcome, no exclusive right could be granted.

Chas C. Harris
Sec'y of Cabinet Council

Palace
August 18th 1871 Friday

Present His Majesty the King and all the Members of the Cabinet

The Minutes of the last two meetings to wit of that held Monday March 20th and of that held Tuesday August 2nd were read and approved.

The Minister of Finance reports that in accordance with the resolution of Cabinet he had sold $11500 worth of bonds at 3 1/2 per cent premium and $2900 worth at 5 per cent" and that he had sent a letter to our Sydney agent for H.H. Hall's debentures as advised by Cabinet. (See page 277)

The Minister for Foreign Affairs reported two deaths of a Mr Ely

Read and approved
August 21st 1871
C.C.H

with Austria for consideration — but a late hour having arrived in consequence of a Privy Council held this day, which had been much protracted — His Majesty adjourned the Council until Monday at 12 O'Clock.

Thos. C. Harris
Secy. Privy Council

Read and approved
27 Sept. 1871

Cabinet met at Iolani palace pursuant to adjournment this day —

Monday August 21st 1871

Present His Majesty the King presiding, the Minister of Interior — the Minister of Finance — the Attorney General and the Minister for Foreign Affairs —

Mr Harris read a draft which he had prepared for a Treaty with Austria —

Mr Phillips inquired which made it of importance to hurry on at this time. Mr Harris replied that there had been no especial hurry — it having been talked of now for about a year — and read Mr Hasslocher's letter, dated at Carlsruhe June 2nd 1871 — Mr Phillips thought that it might be as well to defer the negotiation — Mr Harris replied that he was not at all urgent on the matter — did not regard it as a matter of great importance — and in fact did not think they any man in the Kingdom would be richer a

power for this Treaty, but still if it should be considered worthy to be made at all, he did not see the advantage of delay. The mutuality of treaties of Commerce and Commerce has been of importance to this Kingdom. And has in times past, when troubles arose enabled the King's advisers to call for the friendly intervention of those who had recognized the Sovereignty. And such might be the case again. It could do no possible harm and might do much good. Though happily now the occasions are less likely to occur than formerly.

Dr Hutchison thought it better to negotiate here. Than abroad. His Majesty. Well, let me hear some reasons for that. Dr H. I have expressed myself on the last occasion that this matter was discussed and cannot do better than repeat (see page 278). He all know what trouble Mr Vaughan has given. His Majesty. But it does not follow because one Statesman committed an error another will. Mr Harris. It is as well to bear in mind that Mr Vaughan caused what is called trouble, not by mistake, but by forgetting or directly disobeying his instructions. Dr Hutchison continued. A vessel was on a similar expedition as the "Dasher" "will soon arrive and that will afford a good opportunity to make a Treaty if it shall seem desirable. Mr Harris "I am not advised of any such thing. I have heard it said that a Gentleman in town has a letter from Admiral Reid. To the effect that a vessel is about to sail and would probably visit here and that he hoped that his Officers would be as well treated as he was.

But she might never start – and it might be a long time before she will start – and certainly will be a long time before she will arrive – Mr Phillips Well if she arrives – where is the hurry Mr Harris – Well! if the Council think that he should wait for the ship all right as I said before I am not urgent –

Dr Smith – For my part I think the time opportune much more so than it will be after time is allowed for hasty acts to be forgotten and hasty feeling to subside

His Majesty – Since there is a division in the advice of the Cabinet I must take it on myself to decide and order that the negotiations proceed

The Minister of Interior said that a man by the name of Hutchinson, who was engaged in the manufacture of Sugar in Kaua wished to have the privilege of cutting wood on the Government Land where there was a large quantity of trees blasted by fire many years ago – The Minister has advised to grant him the privilege for one year – receiving from him a certain price per cord – such as might be proper and right –

Mr Phillips said that with His Majesty's permission, he should be absent until the latter part of November

Chas C Harris

Sec. of Cabinet

Tuesday Sept. 27th 1871

Cabinet met at the request of the Minister of Finance, at the Office of the Minister of Interior

Present His Majesty the King
The Minister of Finance
The Minister of Interior and
The Minister for Foreign Affairs

Read and approved Oct 5th 1871

The Minister for Foreign Affairs reported that he had received a letter advising him that Mr Hanscher was about on his way to New-York and had probably arrived at that City on the 12th of this month — The letter was from Mr Odell at New-York. This will interrupt the negotiation with Austria

The Minister of Finance — I have sold to Messrs Bishop & Co Fifteen Thousand Dollars of the Bond authorized for the maintenance of Steam Communication with Australia and New Zealand, and on general Bonds I have sold Thirteen Thousand Five Hundred Dollars as before reported, and there is now cash in the Treasury to the amount of Twenty Thousand Seven Hundred Dollars. Mr Smith continued — by observing that he desired advice in the matter of the Hotel — and had therefore, requested His Majesty to call this Council — All the money to be derived from the subscription list has been expended and the building being still unfinished it will require more money, and the question is how it is to be obtained

at 3½ pm at present

or whether the building is to be left unfinished in whole or in part. There have been expended up to the present time Forty four thousand Dollars and it will cost to finish it, in the manner projected from seventeen to Twenty thousand Dollars more - Indeed to finish it completely I would like authority to use up to $25000 -

$10000

Dr Smith remarked that Mr Torbert's subscription would fall, by reason of his death - Mr Harris observed that he did not see that since Mr T. was doing work for the Hotel and his Representatives must take the Bond in payment, up to the amount of his subscription.

Dr Hutchison desired to see the agreement entered into between the Ministers of Finance and the subscribers - Having read it over Dr H. observed - that it gave support to what he had heard down in town, - viz - that he himself was responsible, and they proposed to hold him responsible for the money And a lawyer had told him that Mr Chas Pelliger proposed to hold him responsible for the money - The Hotel will prove an Elephant to us - and is costing a great deal of money, and will in the end, cost us more money than is now estimated -

Mr Harris - Please! hold you responsible for what? Every condition of that agreement has been kept (N. B. The agreement is transcribed on the opposite page - (284)

They agreed with the Minister of Finance - and not with the Minister of Interior - that the money

bonus did so ...

We, the undersigned, agree with H. M.'s Minister of Finance to pay into the Hawaiian Treasury the amount of money set opposite to our respective names, the same to be paid in by instalments, as may be required by the said Minister; And the Minister of Finance hereby agrees that the money so paid into the Treasury, shall be used exclusively for the erection of a Hotel Building and preparing the same for occupancy, it being understood between the undersigned subscribers and the the Minister of Interior, that a Committee of their number, not exceeding two persons, may be chosen by the subscribers to advise with the said Minister of Interior on the selection of a site and the construction of said building.

And the Minister of Finance further agrees that upon the receipt of the money, he will issue to the persons paying the same, Negotiable Bonds of the Government, to be denominated Hotel Bonds, payable in Five Years, pro rata dividends from the rent of said Building to be taken in lieu of interest, and it being further understood that at the maturity of said Bonds, it shall be the option of the holders to retain a share of the Building, or to have their Bonds paid.

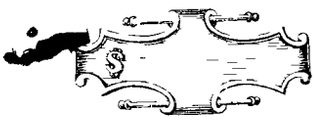
Honolulu, Jan 20th, 1871.

should be devoted to the building of a hotel - and surely it has been so devoted faithfully - Dr H. - I did not know that my name was in - Mr H. called attention to the record of Dec. 5th (page 266) and to that of March 20th page 272 and Dr H would observe that the whole thing had been under discussion - and he had himself assented to Dr Smith taking charge - With regard to Mr Pflager - it is impossible that he should have instructed or permitted an lawyer to say any such as indicated by the Minister of Interior in his name - as he has paid two installments and only a few days ago - remarked in my hearing that he intended to pay the final one - and I have often and lately heard him express the contrary views very strongly

Dr Hutchison - The Subscribers placed me on the Committee and we have not kept faith with them -

Dr Smith - It is a mistake for Dr H. to suppose that he was placed on the Committee by the Subscribers or has any connection with them - By referring to the agreement it will be found that the subscribers were to appoint but two Committee men to meet with the Minister of Interior - who represented nobody but this Council and I was afterward substituted for him with his own consent - Dr H. observed that the Legislature might hold us responsible for spending the money - Mr Adams The Legislature can hold no man responsible for a cent - that must be done by the People - We have spent no public money as yet - but the money of subscribers - The end the money has been raised by a tax

pony loan, as has already been stated by Dr Smith — and to make that all right I hereby undertake to assume all the responsibility and to pay every thing that the Minister of Interior may be called upon to pay in the matter — Dr H. I do not wish any body to assume any responsibility that properly belongs to me — Mr Harris — That is just the point. You do not approve this and ought not to be required to assume a responsibility which you do not think right — Dr H. "What kind of an obligation do you put on? Dr Smith — None but a receipt in this form



HAWAIIAN TREASURY 1871.

RECEIVED OF

Dollars amount of first instalment

Dollars, to be issued

on Hotel Bond for according to

in favor of said

terms of an agreement, dated Honolulu, January 20th, 1871, with the Minister of Finance, by him and others subscribed.

Minister of Finance.

Registrar of Public Accounts.

Dr S. continued — The question now is shall I have authority as far as the Council can give it to pledge the faith of Govt for sufficient money to carry on this work — Dr H. You have a majority in the Council — Dr S — I do not wish a majority — I want all to coincide and cooperate cordially — Mr H. Now do I think that it is right to go on with a work of which a part of the Council may say at all

times I did not agree to it — and I continue to be opposed to it —
Dr Hanna thought it much preferable that the building should go on finished & then that it should be the source of uncomfortable feeling — and was decided to vote that way —
His Majesty I think the building should be finished and Dr Smith should have the authority asked for. It is fine creditable building — one to be proud of — The question be put
Dr Hutchison voted no
Dr Smith yes
Mr Hanna yes
— His Majesty having expressed himself as above —

Chas C. Hanna
Sec Exec-Council

October 5th
Cabinet met at the Office of the Minister of Interior at 12 o'clock noon — present
His Majesty — The King presiding
G. M. St. Smith Minister of Finance
A. Dr Hutchison Min. of Interior
C. C. Hanna Foreign Affairs

The Minister for Foreign Affairs presented a letter from King William of Prussia — to His Majesty the King dated at Versailles January 29th 1871 — announcing that His Majesty had consented to assume the dignity of Emperor of Germany

The Minister of Interior read form memorandum of expenditures under different appropriations and

Read and approved
Nov 25th
C. C. H.

desired advice and instruction as to proceeding with public works and more especially what works should be proceeded with — The Minister remarked that School Street Bridge would cost five or six thousand dollars and that he could not see any good cause for undertaking it — His Majesty thought that it would make another drive and that it was desirable to afford to citizens an opportunity of purchasing desirable lots for building at reasonable prices — The Minister expressed was however fully concurred in —

The Minister further said that he could obtain from Van Kleneene an agreement to convey the land claimed by him in the Nicklani for Five thousand dollars, in case that judgment should be rendered in his favour

The amount of land for which Van Kleneene advances a claim is somewhat more than two acres —

This arrangement was approved of and it was agreed that the building should be proceeded with immediately — after obtaining Van K.'s bond as above

It was likewise agreed that it is necessary to proceed with dredging in the high bay as at present

It was likewise agreed that the building over the Steam boat wharf should be constructed — and the prolongation of the Steam boat wharf be proceeded with

Pelles C. Hill
Sec. Exec. Council

Cabinet Council Iolani Palace
Nov. 25th 1872

Present His Majesty the King presiding and all the Members of the Cabinet.

The minutes of the last meeting were read and approved.

The Minister for Foreign Affairs said that he had asked the Council to be convened for advice and direction on several matters and first. Should that portion of the French Treaty be denounced, which limits the right of placing duties on liquors and wines? The Attorney General thought it desirable to examine the question whether all the "denounceable" articles must be "denounced", or whether some might be "denounced" leaving the others in force. He (the Attorney General) was likewise of the opinion that the "denouncement" should be made at Paris. With these suggestions it was unanimously agreed that the notice required by the Treaty should be given and it pleased His Majesty to command according.

The Minister for Foreign Affairs presented a claim from the Masters of Ship "Daniel Webster" - Barque "Laguda" and Ship "Europa" for remuneration for bringing the crews of certain vessels carrying the Hawaiian flag abandoned in the Arctic Ocean in October last. The whole claim amounts to $3605 for bringing 103 men. Mr Harris likewise read a letter of Mr Mattison, United States Consul at Honolulu, which had been transmitted to him the United States Minister Resident. He did not understand this to be a claim officially presented by the Representatives of the U.S. Govt, but merely that the claimants take this mode of presenting their own claims for consideration.

Read and approved Nov 14th C.C.H.

The Minister was advised to reply to Mr Pierce – that he would be pleased to learn what action the United States Government has hitherto taken in the Sake case and other Mormons and the United States Minister to be kind enough to give him instances –

Mr Hanna then presented the communications received from the different public Agents in Europe and Australia, which were not read in extenso, as they had been submitted to the individual Consideration of different members – and Mr Hanna replies and instructions thereon – All of which were unanimously approved –

Thos. C. Hanna
Secy. Sec. Pub. Council

Read and approved – Feby 22nd 1872

February 14th 1872

Cabinet met, at the Office of the Minister of Interior – at 12 O. Clock noon. – present

His Majesty the King presiding and all the Members of the Cabinet being present

Minister for Foreign Affairs reported the following agreement with the United Post Office Authorities

(Copy)

General Post Office London
5th December 1871

The Secretary
General Post Office
to
Manley Hopkins Esquire

Sir,

With reference to your letter of the 31st October last, I am directed by the Post-Master General to acquaint you that, after communicating

with the United States Post Office, he finds that, provided the correspondence is forwarded in the Mail for San Francisco, instead of in a closed Mail addressed to Honolulu, there will be no difficulty in fixing the total rate of postage on a single prepaid letter posted in this country, addressed to the Hawaiian Islands, at six pence, and I am to add that, if few appears of the Correspondence being so forwarded, the Postmaster General will take the necessary steps for carrying the arrangement into effect.

Signed

Wm. S. Page.

(Copy)

Hawaiian Consulate. London
6th December 1871

Manley Hopkins Esquire.
to
The Secretary
General Post Office.

Sir,

I beg to acknowledge your letter of yesterday, having reference F 140320, informing me that after communicating with the United States Post Office, the Post-Master General will send English letters to Hawaii, fully paid, at six pence (I presume for the half ounce) prepayment compulsory.

As this brings the rate and manner of payment into unison with the postage on Hawaiian letters to the United Kingdom, I accept, without hesitation, on the part of the Hawaiian Government, the new arrangement, and I shall immediately notify the same to that Government.

With regard to Newspapers from Hawaii, I never find them taxed more than four cents (two pence) prepaid on them. If therefore the Anglo American rate remains at two pence, it either includes their delivery in Hawaii, or some small

inland rate is placed on them there.

The only suggestion I would further make is, that in cases wherein, from inadvertance or from ignorance, English letters for Hawaii are insufficiently stamped, they should not be detained or opened here, but forwarded to their destination, and the difference claimed from the Hawaiian Post-Office.

With thanks for the prompt and kind manner in which this arrangement has been considered and carried through

(Signed) Stanley Hopkins

It was resolved that the arrangement was satisfactory and should be carried into effect. The Minister of Interior suggesting that inquiry should be made whether accounts were to be kept at the post office and settled periodically, or whether the receipts at each end should be considered as balancing accounts.

The Minister of Finance then introduced the following letter from the Agents of Messrs Wm. H. Webb

Honolulu. 12th February 1872.

Sir,

We have the honor to inform His Majesty's Government, that we have received a letter from Mr W. H. Webb, informing us that in conjunction with Mr Vogel, Post-Master General of New Zealand he had arrived in Sydney and intended to visit

His Excellency
J. Mott Smith
Minister of Finance
&c &c &c
Present

visit the other Colonies, with whom he was in hopes of concluding Postal Contracts.

Pending these negociations the Steamers of his line will resume their voyages along the Coast of New Zealand as heretofore.

In answer to our letter of 25th December last addressed to Mr W. H. Webb at Auckland, he informs us, that he is much surprised to learn that the subsidy promised him by His Majesty's Government has not been paid and that this matter has been indefinitely postponed by the Privy Council, thus placing him in a ridiculous position with the Colonies to whom he had made known his agreement with His Majesty's Government.

Your Excellency will no doubt remember that our Mr Pfluger spoke to you shortly before the sailing of the December Steamer for Australia asking whether His Majesty's Government were ready to draw up and sign the Contract agreed on with Mr Webb, and on receiving your answer that the matter had been postponed for 2 months by the Honorable Privy Council, this answer was as surprising to him, as it now has been to Mr Webb, to whom we communicated the fact. At the same time Your Excellency expressed the opinion, that the Subsidy agreed on would be paid to Mr Webb from the 1st of December.

We now have the honor to inform Your Excellency, that we have been instructed by Mr Webb to say, that he relies on the agreement made with him by His Majesty's Ministry, that he expects the promised Subsidy to be paid, or arrangements for its payment to be made before the sailing of the Steamer "Wairaka" and that unless this is done he

he will not be able to carry in his Steamers any letters, documents or papers whatsoever, coming from the Hawaiian Islands addressed and intended for delivery to any Point South or West of the Hawaiian Group or any Port or place other than San Francisco - Under the Contract with the New Zealand Government, Mr Webb's Steamers are not bound to deliver a Mail or even to call at the Hawaiian Islands, but Mr Webb has done so in the full Expectation, that His Majesty's Government would fulfill its Promises and pay for a Mail between the Colonies and the Hawaiian Islands to the Established line.

In coming to this decision Mr Webb has the full assent of the Post-Master General of New Zealand, which latter is entirely willing that Pago Pago in the Navigators Islands should be made a Port of Call, which right Mr Webb intends to embody into any Contract he may make with the Australian Colonies, thus enabling him to collect the trade of the Pacific Islands at the same Central Point -

In conclusion we beg leave to say most respectfully, that our Senior will be happy to wait upon Your Excellency for the purpose of making further Explanations, which you may desire and trusting that His Majesty's Government will not defer any longer the payment of the promised Subsidy, we have the honor to remain

Sir

Your Excellency's
Most Obedient Humble Servants
(Signed) H. Hackfeld & Co
Agents: U. S. N. Co - and R. M. S. S Line

P. S. The Steamship "Tetrazza" will
Sail

sail on her return voyage South, shortly after the arrival of the San Francisco Steamer, and we take the liberty of expressing the hope that His Majesty's Government will be pleased to take this matter into early consideration, so that we may inform Mr Webb of the result by the outgoing Steamer

(Signed) A. Hackfeld & Co.

Dr Hutchison expressed his opinion that it was fortunate that Mr Webb had seen fit to write such a communication, at this time - He (Dr H) had altered his mind a good deal, lately, as regard the advisability of paying the subsidy at all - and it is certain that no promise had been made to Mr Webb - other than to place his propositions before the Privy Council, and give them advocacy, which promise had been most faithfully kept - He (Dr H) thought he (Dr H) would not feel himself justified in doing so for the future and had made up his mind to oppose the grant

Mr Phillips - I confess my self much embarrassed by this letter; and can not believe that it is by express accurately Mr Webb's views or what he would like to say - Mr Harris; It is a quotation - I saw Mr W's letter on this subject on Monday morning - Mr Phillips resumed - I am still desirous of granting the subsidy but am unwilling to go before the Privy Council on such a letter as this - (Mr P. made some more extended remarks upon the advantages which he thought would be derived from Mr Webb's visit

Mr Harris -- I think it would be better to go to the Privy Council with this whole matter, and take their advice as to what should be done - I do not think it advisable that we should take the whole responsibility when the Legislature have authorized us to

share it with others — As for the imputation of not keeping promises to Ontario we know that we have done all that we promised to do — and I do not feel any sensitive about the letter although it certainly might be couched in better phrase.

His Majesty — I think if you go to the Council under the present circumstances including this letter — the decision will be adverse to the Giant —

Dr Hutchison — I think that due self respect will not allow us to put the application before the Council, in its present form —

His Majesty — Perhaps Mr Mowat & Co may modify the letter if an opportunity is given them, and we may defer the further consideration until our next meeting —

This being agreed to — the Minister of Finance was directed to give it his attention according to the tenor of the discussion, this day

The Minister of Interior then laid before the Council a petition of Messrs Black & Reid regarding the Public printing — This petition was addressed to the Privy Council —

It was the sense of the Council that Dr Hutchison might inform the Petitioners, that it is not the intention of Government to make any change in the mode of doing the Public Printing —

Chas. C. Humes
Asst Secy of the
Cabinet Council

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Feby 22nd 1872

Cabinet met this day, at Iolani Palace, at 12 M.

Present His Majesty the King presiding — and all the Members of the Council

The Minister of Finance reported the following letter which he had written to Mr Webb's Agents, embodying the views expressed at the last Council, as he understood them

Received and approved March 5th 1872 C. C. H.

DEPARTMENT OF FINANCE,
Honolulu, Feb. 15th, 1872.

GENTLEMEN:

I have had the honor of laying before His Majesty in Cabinet Council, your letter of February 12th, in which you say that "Mr. Webb, in reply to a letter of yours under date of December 25th last, says that he is much surprised to learn that the subsidy *promised* him by His Majesty's Government has not been paid, and that this matter has been *indefinitely postponed* by the Privy Council, thus placing him in a ridiculous position in the Colonies, to whom he had made known his agreement with His Majesty's Government."

You further say that "he relies upon the *agreement* made with him by His Majesty's Ministry; that he expects the *promised* subsidy to be paid, or arrangements for its payment to be made before the sailing of the steamer Nebraska, and that unless this is done he will not be able to carry in his steamers any letters, documents or papers whatever, coming from the Hawaiian Islands, addressed to or intended for delivery south or west of the Hawaiian Group."

You further say that "Mr. Webb's steamers are not bound to deliver a mail, or even to *call* at the Hawaiian Islands, but Mr. Webb has done so in the full expectation that His Majesty's Government would fulfill its *promises* and pay for a mail between the Colonies and the Hawaiian Islands to the established line."

You, gentlemen, certainly have been sufficiently advised that the authority over the appropriation alluded to in your letter, as being at the disposal of the Government for the purpose of assisting ocean steamers between this country and the British Colonies, to the south and west, was not in the exclusive control of His Majesty's Executive Government, but was subject to the advice of the Privy Council of State.

Your letter now under consideration, has therefore placed the members of His Majesty's Government in a position which renders it difficult for them to again open the matter to the proper Council, (*i. e.* the Privy Council,) since you say that His Majesty's Government *had* promised Mr. Webb to pay him.

This is a mistake, which may be observed in referring to my letter of November 20th, 1871, to Mr. Webb, in which, by direction of the Ministers, I said: "His Majesty's Executive Government have agreed, in view of the conference held with you this day, to recommend to the Privy Council of State to authorize the payment to you of thirty-six thousand dollars, in monthly installments of two thousand dollars, for eighteen months, commencing December first next ensuing, as a subsidy towards the maintenance of your line of steamships now running between this port and the New Zealand and Australian Colonies."

You will see that we only promised to lay it the Council with a recommendation that i which promise was most faithfully kept. recommended by myself, and each Minister place used all arguments in its favor.

Nor was it *indefinitely postponed* by the C but, on the contrary, they postponed the con tion of it until an opportunity could be afford hear what had been done by the Australian nies; and the knowledge of this fact you you seemed to have, when in the third paragraph o letter you say that you received my answer the matter had been postponed for *two months*

You, yourselves, will see the difficulty which we labor, for we had intended to place application before the Privy Council at this and had it not been for the receipt of your should have done so in the early days of the v but now His Majesty's Ministers are said to promised that which they had no authori promise, and which no passage in my former can, in the judgment of any of His Majesty's ernment, be construed to have promised; an further intimated that His Majesty's Ministers not kept that promise. In order, apparent coerce His Majesty's Government, you say that documents, letters or papers will be delivered a point south or west of the Hawaiian Group." undersigned does not propose to discuss the wi of this resolution, since it is the right of ever to control their own business, and you say that Webb is not under contract so to do, or even c the Hawaiian Islands. Leaving out the fact tha California, Oregon and Mexican Steamship whose assignee Mr. Webb's Company is, are u contract to call here, but admitting as a fact Mr. Webb is under no contract to carry our let etc., to the south-west, I am directed to call attention to the fact that this Government is u no contract to afford any immunities or privileg steamers bound to the south-west, and to ask if you have taken into full consideration the fact that the Government has the right to charge wharfage, water dues, storage, etc., etc., for the Nebraska and consort, as well as for the ships bringing coals and stores for them.

I am directed to make this communication in the terms set forth, in order that you may take into consideration whether you may not deem it your duty to your principal to modify your communication in such a manner as to enable us to place it before the Privy Council unembarrassed by accusations of bad faith and threats of retaliation.

Your statement that you will not carry the letters at this time, seems to His Majesty's Ministers to indicate that the same pressure will be put upon them to induce the Legislative Assembly to continue an appropriation after the one now at the disposal of the Privy Council shall have been exhausted. You have often been informed, it is quite improbable and almost impossible that the Assembly should continue the grant from year to year. If, therefore, it is at all probable, as seems almost sure from your communication, that the service will be discontinued at the end of eighteen months if the subsidy shall not be continued, then the very object for which this grant was made will be defeated. Therefore, although before the reception of your letter, every member of the Cabinet was intending to rely upon the idea that the service would be continued during the existence of Mr. Webb's contracts with the Colonial Governments, yet it would seem to be a matter of prudence with us now, in view of your communication, to insist, in any contract we may make, that such a condition should be included in it.

You are aware that in our first draft of a letter to Mr. Webb, such a clause was included, but we yielded to Mr. Webb's views in suppressing the clause.

In conclusion, I have to say that whatever may be your own views on the subject of the business arrangements, if you shall see fit to modify your letter in such a manner as to take from it the imputations which no member of His Majesty's Government feels that he is justly subject to, we will place your case, with all your views, before the Privy Council, which has simply deferred the consideration of the matter until they shall be in possession of further information than they had at the date of their last meeting.

I remain, yours truly, J. MOTT SMITH,
Minister of Finance.

Messrs. H. HACKFELD & CO.,
Agents U. S., N. Z. & A. M. S. S. Line, Honolulu.

To which in the afternoon of the sept day he received the following reply —

HONOLULU, February 16th, 1872.

SIR: We have the honor to acknowledge the receipt of Your Excellency's letter of yesterday's date, the contents of which have our respectful attention.

In reply, we have the honor to state that our letter of 12th inst. was solely written as Agents for Mr. W. H. Webb, who by last mail transmitted to us his instructions regarding the carrying of the Hawaiian Mails to New Zealand and Australia. These instructions being positive, Your Excellency will see the impossibility for us to discuss the matter in question in any way, and the communication which we had the honor to address to Your Excellency on the 12th inst., expressed simply the views and instructions of Mr. Webb; in further explanation of which we take the liberty to add the following extracts of our correspondence with Mr. Webb.

On the 23d of December last we wrote to Mr. Webb at Auckland as follows:

"Regarding the subsidy from this Government, we hear that this subject has been postponed for discussion by the Privy Council for two months."

And further:

"We hope that on the return of the Nebraska or Nevada to this port, the subsidy question will be definitely settled and further facilities granted to your steamers, as the present wharf accommodations have given us much anxiety, besides causing us considerable expense."

And further, under date of January 20th:

"Since we wrote to you by the Nebraska, we have heard nothing from the Government in regard to the Contract."

To the first communication Mr. Webb replies as follows:

"The information you send me regarding the action of the Hawaiian Government respecting the promised subsidy surprises me much, and puts me in a ridiculous position with the Colonies, to whom I had made known my agreement with the Hawaiian Ministry. You write: 'You hear that the subject has been postponed for discussion by the Privy Council for *two months;* other advices say, that the consideration has been indefinitely postponed, at least until the Government can learn whether the United States or the Colonial Governments have contracted with our line, when the King will call the Council together, if he thinks proper, for another consideration of the subject. Now they fail to carry out a recent agreement, made after our line has become an established fact, for the payment of the promised Subsidy, one made, as I supposed at the time, in good faith on their part, and with the assurance that the Privy Council would approve their action;—mind you, payment *was made* to Hall's line when it was *not* an established fact, and while this line was under contract with both the United States and New Zealand Governments.'"

Although our Mr. J. C. Pfluger was present when Mr. Webb had the honor of an interview with His Majesty's Government, we, as Mr. Webb's Agents, cannot discuss whether he labors under a mistake or not in believing that he held a real promise of His Majesty's Government when leaving here. Mr. Webb did not send us suggestions for discussion, but looks upon this question simply as a business matter, and desires to know positively what he has to expect as the result of his interview with His Majesty's Government. But at the same time we hasten to say, that we emphatically disclaim, on Mr. Webb's part or our own, any intention of pressure, coercion, or threats of retaliation, which are neither conveyed nor intended to be conveyed, as no such order has been received from Mr. Webb, and that our communication of 12th inst. contains only extracts and instructions from Mr. Webb's letter received by last mail.

Under these circumstances we are not in a position to discuss with Your Excellency whether the steamers shall continue to call here or not after the present subsidy has been exhausted, but we shall transmit to Mr. Webb a copy of Your Excellency's letter by first opportunity.

It will be gratifying to us to learn that His Majesty's Government will be pleased to give favorable consideration to the communication which we have now the honor to submit most respectfully.

We have the honor to remain, Sir,

Your Excellency's most ob't humble serv'ts,
H. HACKFELD & CO.,
Agents U. S., N. Z. & A. M. S. S. Line.

His Excellency,
J. MOTT SMITH,
H. H. M. Minister of Finance, &c., &c., &c.

On Saturday, the Minister of Finance sent the following letter to Mr. Webb's agents:

and that he (Dr Smith) had on the next day sent the following communication

GENTLEMEN: FEBRUARY 17th, 1872.

I am in receipt of yours, in reply to mine of 15th inst., in which you say, "We, as Mr. Webb's Agents, cannot discuss whether he labors under a mistake or not in believing that he held a real promise of His Majesty's Government, when leaving here." We likewise desired not to bring into discussion the question as to what Mr. Webb might or might not have understood in this respect, and I sincerely regret that you have deemed it to be not in accordance with your duty to modify your previous communication, so as to enable the Cabinet to present the matter to the Privy Council, unembarrassed by Mr. Webb's statement that positive and binding promises had been made to him.

His Majesty's Government wishes to do nothing harsh or retaliatory, but to transact their business with due regard to the public interests. Of course, if Mr. Webb desires on his part to adhere to the literal contract with this Government, we upon our part must do the same. Orders have therefore been issued to the Custom House authorities, including the Harbor Master, to make up against the Nebraska the bills usual to be made up against all vessels, including her storage for coals. They have also been instructed not to claim payment at this time, even though you should deem it your duty to obey instructions not to carry our letters. This course,—the not demanding payment immediately,—is taken with the hope that, upon due consideration, better counsels may prevail. You will excuse me if I likewise remind you, as an important ingredient in this matter, that the store-house upon the wharf, hitherto devoted to the use of the steamers, forms no part of the agreement of this Government with your Company or its predecessor. The use of this likewise will be continued for the present, until an opportunity may be afforded to reconsider. I beg you to expressly understand that should Mr. Webb persevere in what appears to be his present determination, the bills on the Nebraska for this trip will be presented for payment.

I remain yours truly,
J. MOTT SMITH,
Minister of Finance.

Messrs. H. HACKFELD & Co.

The letter which was originally sent to Mr Webb, on which he founded his idea of a promise is as follows—

NOVEMBER 20th, 1871.

SIR: His Majesty's Government have agreed in view of the conference held with you this day, to recommend to the Privy Council of State, to authorize the payment to you of thirty-six thousand dollars, in monthly installments of two thousand dollars, for eighteen months, commencing December first, next ensuing, as a subsidy toward the maintenance of your line of steamships now running between this port and the New Zealand and the Australian Colonies.

When a contract shall be signed between us, we shall require a stipulation that your ships shall stop here a sufficient time to deliver and take in cargo, and that they shall not sail from this port before the advertised time.

All postages upon our letters shall accrue to the benefit of this Government, and no payment on the subsidy mentioned above shall be shared with any other Governments. Your ships must also pay a reasonable regard to our Sunday laws.

I remain, yours truly, J. MOTT SMITH,
Minister of Finance.

To WM. H. WEBB, Esq.,
Honolulu, H. I.

The subject of the subsidy to Mr Webb's steamers being resumed — Mr Harris remarked that thinking the matter over he was more persuaded than before that it was most prudent to leave the matter in the hands of the Privy Council — That it was a matter in which the public were much interested, and the Legislature had enacted that previous to paying the Privy Council should give their assent — And I propose that we take the first direction of the Privy Council to the agreement that they will authorize such to be ready to lay before Mr Webb as his offer — just what we can do if they agree to it — well — and if they will not, there is an end of it —

Dr Hutchison concurred in these remarks, and added that he had no idea that Privy Councillors would recommend any agreement not having an express agreement to run a definite time so that they could not leave off running when the present means at the disposal of Government should be exhausted, and I shall deem it my duty to urge this point upon the notice of the Councillors —

Mr Phillips — I can upon that present circumstances are not such as to enable the Council to consider the matter dispassionately — and therefore should not think it well to call a Council immediately on it —

Mr Harris — But a Privy Council must be called very soon for the purpose of summoning the Legislature, and then this may be put before them, without their being summoned especially for the purpose of considering it —

His Majesty — But we have no new matter to put before them — Thus, I go sir, we have Mr Webb's communication, and this as well as the Lapse, alone constitute a considerable matter.

Mr Phillips – Well – considering the fact, that the meeting will not be called for this special purpose – and that the matter is at least, in their hands, I think that it may well be brought up, for their consideration

It was so agreed; and His Majesty ordered the Council to be summoned for Tuesday at Noon, at the Palace

His Majesty: What shall be done about the charges to which the ship is liable – I think that if they shall refuse to take our letters next time, they should all be called on –

Mr Harris thought that it would be well, to wait until the correspondence above set forth had reach Mr Webb – so that he might act with all light –

Mr Phillips thought – that at least the Post Office laws should be enforced – and thought that he could say that he certainly knew that letters had been carried – notwithstanding the notices given as follows

"UNITED STATES, NEW ZEALAND AND AUSTRALIAN MAIL STEAMSHIP LINE—CAUTION—Employees of the U S, N Z and A S S Line, and passengers on the steamers of said line are hereby strictly prohibited from carrying any letters or other mail matter, outside of the mails The penalty for non compliance with this order, is one hundred pounds sterling, which will be strictly enforced

which was to give an improper preference as it were to carry letters for some favored few – and reject others –

The propriety of enforcing these laws strictly was concurred in unanimously

Mr Harris called attention to the fact that the next vessel to be expected was already on her passage – and thought it would be time enough to collect the Bills if there should be no change expressed in the determination of Mr Webb – upon the return of the ship which had just sailed for New-Zealand –

The sense of the Council was that the

* Mr Phillips desired this remark to be recorded & entitled to have an opinion taken in Council on the matter

Charges should be collected - in case they take no Mail - like as any other vessel

The Minister for Foreign Affairs - I desire to call the attention of Council once more to the service rendered by Judge Allen for his residence at Washington in the interest of the Republic of Texas - He thinks he ought to be paid - I understand him to say that if he should receive paid two thousand dollars - in addition to the one thousand already paid him he would feel satisfied

The Minister of Interior recapitulated his remembrance of the circumstances of Judge Allen's visit to Washington, which was in consequence of the Judge's offer to be of service if he could - and the Commission was sent afterwards at his own request and thought that the payment of one thousand had been liberal -

After a considerable conversation the sense of the Council was a unanimous desire that the Judge should be satisfied and the Minister was directed to see what could be consistently done to satisfy him

The Minister for Foreign Affairs laid before the Council his instructions to His Majesty's Charge at Paris touching the French Treaty - likewise the correspondence touching the destruction of the Barque "Harvest" by the "Shenandoah" - likewise the correspondence with Mr Henck touching Treaty with Denmark - and his instructions in this behalf - Likewise touching the German Treaty - All of which was approved

The Minister of Finance - It is desirable to open the American Hotel on the 29th - Inst. The lessee has exhausted his funds in furnishing the House - Yet it is necessary to have licenses for sale of spirits - Billiards - as well as a Hotel License

Dr Hutchison - suppose he goes up to the Interior Dept - If it is accepted at-

the Treasury as cash - it will be agreeable to me - but you can settle it in account with the lessee for profits if there should be any -

This arrangement was approved of

Chas. C. Hopkins

Hon'ble Sec'y Privy Council

Monday - March 5th 1872

Cabinet met at noon: at the Palace
Present His Majesty - the King
and
All the Members of the Cabinet

The Minister for Foreign Affairs reported that he had an interview with Judge Allen - as commanded at the last Meeting - The Judge thinks that he ought to have three thousand including the thousand sent to him in the United States - After some conversation it was agreed that the Minister should pay the Judge Eleven hundred and assure him that if the amount appropriated by the Legislature at its next session should be sufficient to permit more hundreds more would be paid him -

His Majesty expressed himself that Judge Allen was one of the oldest servants of the Country and it was quite certain that he would not ask for the money if he did not think it right - "I am desirous that the Judge should feel that he is treated rightly" -

The building of the Royal Palace was taken up for consideration - and Mr Hutchison remarked that the situation

this was still a matter of grave consideration. Mr Harris thought it of the utmost importance to secure the lot adjoining to this belonging to Prince William Lunalilo - and that it would be better to give what might be considered a large price, than not to obtain - more especially as if the Palace should be put up on this lot the lot in question would be worth on speculation a very considerable sum - This was concurred in and His Majesty appointed Dr Hutchison and Mr Harris a Committee to make final arrangements for the purchase - it being however understood that the concurrence of His Majesty and the other Members of the Cabinet should be sought before finally making a binding bargain.

Resolution

The Minister of Interior reported that he had ordered some One Dollars - out of the appropriation for road in Hawaii to be expended on the road from Hilo towards Onomea - That he had regarded the expenditure as experimental - and that the result was that ½ a mile of good road had been completed - This was certainly very expensive, but the means of getting material were very defective - The question now is whether any further expenditure is warrantable

It was resolved: That it would be well to expend the balance of the appropriation - notifying all persons - the public as well as those employed that it was an experiment and that upon the effectiveness of the expenditure would depend the making of any further expenditure - so that all people interested might make every effort to to have the money advantageously expended

The appropriation is $4500 Dollars, of which there remains unexpended

Chas C. Harris
Hon. Sec. Cab. Council

Iolani Palace
Tuesday March 26th - 12½ O'clock - P.M.
1872
Present His Majesty the King
The Chancellor of the Kingdom
The Minister of Interior and
The Attorney General —

The Minister for Foreign Affairs being absent on Hawaii, as well as the Minister of Finance — His Majesty requested the Attorney General to keep a minute which he did and hands this to the undersigned as the minute of the meeting —

His Majesty stated that the object of the meeting was to determine how to bring the question of subsidy to the Navigation Line of Steamers before the Privy Council; a question of pressing importance in view of the expiration of the present year at the end of this month —
The Minister of Interior concurred in the opinion that something should be done before the month expires and thought the case not like appropriations for buildings and roads, which must of necessity go on to completion —
The Attorney General stated that by commands of His Majesty he had submitted the question of appropriation to the Ohia Justice who thought that the Privy Council must act during the present month although perhaps the Cabinet could control the matter, in a measure, afterwards.

The Chief Justice; The language of the Appropriation Act is very clear; the Privy Council must give their consent, if at all, before the

Read and approved April 11th

present month expires. They cannot act with authority afterwards. It will be seen, however, that the Act by appropriating $50.000 to be expended in instalments of not more than $2000.00 contemplates at least 25 monthly payments, & as the act was not approved till July 1870, the 25 months will not expire with the fiscal period & the reason of the thing indicates that payments may continue to be made after the time expires from a fund established and separated according to law. On the whole, it would seem to be regular to pass some vote substantially declaring that the Privy Council consent to a contract for subsidy [giving details] to be executed at the discretion of the cabinet; and are terms and conditions which the cabinet may arrange.

The Minister of the Interior, Ought not the Privy Council to have something tangible before them?

The Chief Justice: Certainly. But still they may give a "consent" in the words of the act, thus disclaiming themselves of a responsibility, & leave the execution to the ultimate discretion of the cabinet. They may do one of two things, viz:

1. (Which is preferable) Hear a definite proposal by the cabinet and act upon it.

2. Give a general consent & refer everything to the ultimate determination of the cabinet.

The Attorney General. We are all familiar with the proceedings had in Privy Council. There is a definite proposal by the cabinet, whose consideration has been twice postponed but which may be resumed at any future meeting. The first question seems to be Ought not the Privy Council to be assembled this week? The Attorney General suggested reasons for designating Thursday.-

The Minister of the Interior, I quite agree that the

Council should assemble as early as Thursday. But what shall we recommend? I made a promise to Mr Webb and kept it, and am absolved from further obligation. I have learned a lesson. We have been badly treated, and we now know what we may expect hereafter if a prudent regard for our own resources compels us to discontinue the subsidy at some future time. My opinion is greatly altered. The privileges we give this company are an ample equivalent for the good they do us. Mr Webb has got irritated & treated the Government very disrespectfully.

The Attorney General: Since the last meeting of the Privy Council, the aspect of the case has greatly changed. The Steamship Co have taken the Mails without exacting any conditions. Mr Stewart, who appeared here as Mr Webb's special Agent has freely expressed his regret for what has occurred and has expressed his conviction that Mr Webb, if present, would have prevented much which was done. Ought we not, under all the circumstances to give the Privy Council a chance to express their views while their authority lasts.

The Chief Justice: If I had been in the Legislature, I think I should not have voted for this appropriation but, as it is voted and in view of all which has transpired I have perused and inquired whether as a Councilor I ought not to vote it. The question is very important. A great deal depends upon our maintaining Steam communication with other countries. Shall we jeopard all our future prospects for $30,000? I am strongly in favor of developing our internal resources, and am very anxious to keep out of debt. Still the advantages of Steam navigation are very great and we cannot afford to be indifferent to them.

The Attorney General: I have always regarded this as a very responsible, difficult and delicate question.

Steam navigation is becoming paramount on this Ocean. Our importance and success depend largely upon our keeping ourselves upon the great lines of traffic, and I hope that we shall now have an opportunity to consider the question without reference to side issues, although it is to be regretted that we have not more time. The Attorney General then explained his interview with Mr Stewart & Mr Pfluger and the reasons, why he thought Mr Webb ought not to be judged by the acts of his agents. He hoped the council would be summoned.

The Attorney General explained at length his views that it was highly probable that the U. S. would subsidize lines in the Pacific to such an extent as to secure their success, that the Australian & China lines would come to some understanding in which event a three-way connection would be established here and that it was of vital interest to contribute to such a result by the judicious expenditure of money according to our means.

The Chief Justice expressed his opinion that much of the misunderstanding was referable to Mr Pfluger's mode of presenting the case to Mr Webb.

His Majesty: I am inclined to a liberal policy towards Steamers, and think they will do this country a great deal of good. But, in view of Mr Webb's reception by the colonies I fear his line cannot live without help from the U. States. I cannot help thinking, as the Attorney General has suggested, that there must ultimately be some compromise between Webb's line & the China line.

The Chief Justice. I think so too.

His Majesty: While I don't exactly see how the matter

ought to be placed before the Privy Council.

The Minister of the Interior. There is much to be thought of in this matter. If we pay once we must pay again. These steamers do us very little good. They arrive full, & have to provide other conveyance for much of the freight which they bring from Australia. There is no room for our local freight. The Montana was very large & could take a little freight. That was about the first chance we had. If however there is room it is available only for Messrs. Hackfeld & Co, & others in whose interest they act. We have done as much for these steamers as we can afford. They take up about half our chart room, & their coal heap is so placed that the trade winds blow coal dust into the lower berths & spoil that for vessels. There is much queer work about this which I don't understand. Why does not the Macleh leave New York. Their line is not an established one in any sense of the term. If they do not get an American subsidy it will soon be abandoned. We should be very careful if we pay this $30.000, we must keep on paying it for all time hereafter.

The Chief Justice. I fear no trouble in the future. The Legislature will never appropriate any more money. The only question is about the present appropriation which it seems to have been the intention of the Legislature to have expended under certain circumstances.

The Minister of the Interior. Well I don't think this line is worth much to us after all. We cannot get anything carried with speaking of. As soon as the Hall line was abandoned they raised freights to Australia, and as sailing vessels can get but little freight from San Francisco on the downward passage, they are obliged to extort more from us on our sugars.

Min

His Majesty: The Steam communication with San Francisco is really of little use, as managed at present.

The Attorney General: Are we not wandering from the question properly before us whether there is an occasion for assembling the Privy Council. Although in favor of granting this subsidy, I feel bound to hold myself open to conviction. At the Privy Council I may hear that which will modify my views. At any rate, I should be glad to hear what will be said respondibly at the meeting.

His Majesty: That is just my case. I have no objection to assembling the Privy Council, but think the action of the cabinet should be very guarded.

His Majesty then ordered that a Privy council be summoned to assemble at Iolani Palace on Thursday, March 28th at 12 o'clock M., and requested the Attorney General, in the absence of the Minister of Finance, to submit the matter to the Privy Council.

Chas C. Harris
Sec. Cab. Council

Tuesday:
C.C.H.

Tuesday - April 9th
Cabinet met at Iolani Palace at 12 M.

Present His Majesty the King and all the members of the Cabinet

The minutes of the last two meetings were read and approved - The Minister of Foreign Affairs read the following communication from the Sydney Morning Herald

which had been forwarded to him from Mr St Julian —

The attention of the Government has been called to a case of cruelty to a child from the Industrial School in the family of a clergyman near Melbourne.

Our correspondent, writing under date March 9, with regard to the mail services, says:—"Mr. Webb and Mr Vogel have been plying our Ministers with proposals in relation to the desired subsidy to the Californian mail service with a pertinacity which seems to indicate that its maintenance depends on the aid to be given to it by this colony. At first there seemed to be little or no hope of any agreement being arrived at, but during the last day or two a mutual understanding appears to have been come to, although the nature of the proposal which will probably be submitted to Parliament is not to be made public in the meantime. The Melbourne merchants intend inviting Mr. Webb to a public dinner on Tuesday. A suggestion has been started by many influential mercantile men on the subject of the main postal route by way of Galle, and which in the first blush of the thing seems feasible—namely, that instead of renewing the contract with the P. and O. Company, the Government should offer to pay a subsidy of so much per letter on all mails brought on from Galle by efficient steam vessels, the rate of payment to be fixed by a sliding scale, according to the number of days occupied in the voyage. It is suggested that this would encourage the establishment of several lines of steamers from India and from Europe via the Suez Canal, all competing for rapid voyages, and that we should obtain many collateral advantages from their employment." The contract was signed between Mr. Webb and the Government on the 13th.

The Attorney General offered the following resolution based on the Minutes of the Privy Council held March 28th —

"Whereas — This Cabinet is reasonably satisfied of the Establishment of Webb's Line of Steam Packets hence to New Zealand and Australian Ports — Therefore Be it resolved that the Ministers of Finance be authorised to execute a Contract with the United States and Australian Mail S.S. Line in conformity with the Resolution of the Privy Council passed as aforesaid — which resolution was unanimously adopted

The Ministers of Victoria were therein advised and authorized to make a Contract with Mr Webb conformable to the altered state of the Ocean Steam Ship Service —

The Budget to be presented at the ensuing session of the Legislative Assembly was then taken up — and in connection therewith the Hotel Allowance as proposed by the Ministers of Finance — and it was resolved to proceed with the consideration of the Budget from day to day —

Thos C. Hamm

P.S. I shall not enclose specific notes on the subject of the Budget

but embody the result in the final review and determination

C. C. H.

April 11th –

Cabinet met at Iolani Palace
Present – His Majesty the King
and all the Members of the Cabinet

The Budget was under discussion by items – with no particular diversity of views –

Chas. C. Harris
Sec. Cabinet Council

April 22nd 1892

Cabinet met at Iolani Palace
Present – His Majesty the King presiding and all the Members of the Cabinet
Hour of Meeting 12 O'clock M.

The Budget to be proposed at the coming Session of the Legislature was again under discussion – with no divergency of views – when the delay of the Secretary of the Board of Education was called – the Minister of Interior took occasion to express his general views against advancing the salaries of those in subordinate situations and remarked that he could see no good reason why one should seek a situation, and having obtained it – subsequently seek an increase of salary – when there were many – perhaps hundreds who could step in and be obtained to do the duty well at the same salary at which the incumbent was

originally engaged — The Minister of Finance remarked that the present Secretary of the Board was not an applicant for an increase — to which the Minister of Interior responded that he was quite aware of that, and meant his remarks to be general, and applicable to any suggestions of increase that might be made —

His Majesty — Don't you think it well to buy Lebanon clinic? — The Attorney General was not aware of the history of this particular case, but expressed some general views regarding public institution and instanced Harvard University at Cambridge Massachusetts — The Minister for Foreign Affairs respectfully stated very briefly the leading points in this case — and it was concluded not to recommend any change in this respect

Medical Education of Hawaiian Youth — Dr Hutchison thought that much good had as yet been accomplished — but he thought that it would be well to continue an appropriation — This was concurred in — and an amount as agreed inserted in the Budget

The Minister of Finance communicated a letter of Hon William Hillebrand M.D. regarding an appropriation for printing or to assist in printing a Hawaiian Flora — and spoke in favor of it — This item was not concurred in —

Adjourned until tomorrow at 12 O'clock

Chas C. Harris
Hon Sec of Cabinet Council

April 23rd 1872.

Cabinet met as per adjournment
Present His Majesty The King
and all the Members of the Cabinet

The Budget was resumed at the
Military and was continued at
length - The results of the deliberation
being embodied in the proposed report
of the Ministers of Finance

Chas C. Harris
Sec. Cab. Council

April 24th 1872

Cabinet met at 12 O'Clock
at Iolani Palace
Present His Majesty - The King
and all the Members of the Cabinet

The Budget continued to be the
subject of discussion - On mention
of the item for the Queen's Hospital
a discussion arose as to whether any
item should be recommended unless fortified
the right of control - or a share
in the control - otherwise than by
the right of nomination of half the
trustees - Mr R Phillips adverted
to the Statute
with a view of suggesting what authority
that imparted in the matter -
The discussion was prolonged
but as a result was ordered
to be inserted in the propositions for
appropriations to be laid before the
Legislature

Chas C. Harris
Sec. Cab Council

April 6th 1892

Cabinet met at Iolani Palace
Present His Majesty the King
and all the Members of the Cabinet
Hour of Meeting 12 M.

The Minister of Finance laid the report which he had prepared for the Legislature, before the Cabinet
Mr Phillips then it should be expressly understood that he did not approve the irregular and improper way in which money had been paid to the Australian Line - known as Hall's line of Steamers
The report of the Minister was carefully read over discussed - and ordered to be printed as approved - for presentation to the Legislature

Thos. R. Harris

June 7th 1892

Cabinet met at 12 O'clock
Present His Majesty the King
The Minister of Interior
The Attorney General
The Minister of Finance, and
The Minister for Foreign Affairs

His Majesty remarked that he had called the meeting for the purpose of taking into consideration the propriety of introducing into the Appropriation Bill an item of $5000 per annum as a salary for a Minister Resident at Washington - His Majesty continued by saying that he had always thought that such an Office would be useful

and indeed he thought that an accredited Representative at London and Paris would be well – but that the present suggestion was made in consequence of a conversation with Judge Allen, who found the state of his wife's health so precarious that he thought that he would be compelled to remove her to the United States, which in her late visit she had been better, and would therefore resign his Commission

Dr Hutchison – It will be very difficult to impress on the Legislature the necessity of expending so large a sum, more particularly as there is no open question with the Government at Washington

Dr. Smith – The Assembly seem to be very much inclined to economy –

Her Majesty – Yes – that is proverbial – say once in ten years

Mr Phillips –

Is it intended to make the situation a permanent one –

Her Majesty Of course that would depend on the Legislature – but I suppose so – Our legislature has been generally averse to paying these Officers – but I think it is because they do not appreciate the utility of them

Mr Harris

It appears to me as though it might be said – if we do this – some other person who has served a long time and well – will want to have a place on the Continent of Europe – or England – and a Salary – for we can not – conceal from himself or any one else – that it is the Judge's wish that induces this action rather than our estimation of public necessity

His Majesty – Well I will not press it – I have a petition from Kauai signed by about 2000 natives asking that another Governor be appointed; and setting forth as a reason the non-residence of Governor Kanoa – for myself I do not approve of Governors not residing on their Island –

Dr Hutchison – I have received the communication of this petition, and was thinking that it had been made up here – in Honolulu – I do not think that affairs will go on any better for the change – They get along very well – the Govt Clerk is between a Govt and Circuit Judge, and is most efficient –

Mr Harris – All Govts have some sinecures and this has as few as any – this perhaps is one of them – and it would hardly be well to appoint another, who could do no better, and have to pension this incumbent to a like amount – It is seemingly quite as well to let him draw his Salary as to make a pension for him – Govt is liable to pay pensions unnecessarily –

Chas C Harris
Sec. Cab. Council

Sunday July 28th 1872

Cabinet met at Palace at 11 O'Clock – Present His Majesty the King presiding and all the members –

His Majesty has been painfully indisposed for some time, and in view of the necessity of proroguing the Legislative Assembly, to-morrow, causes this Council to be held in his bed-room – to take into consideration the Bills now before His Majesty – The Sec. for Home read the Law in Jurisdiction

~~[illegible]~~ witnesses so as to permit both parties to the bottom, in Civil Cases to testify and the accused in Criminal Cases. Mr Phillips counselled Her Majesty not to approve the Bill, giving his reasons therefor, but adding that he must admit that many persons of great weight and authority thought differently.

Mr Harris gave some reasons for approving the Bill, saying that he was greatly in favor of it, and thought its whole tendency was for good. Remarked that the Chief Justice permitted him to say that he would like to see it tried. But closed by saying that if Her Majesty should not be convinced by his own reasoning of its advantages to the People as it has been by Mr Phillips's argument, he would not advise her to sign it. But if it appeared to Her Majesty as it did to himself the advantages preponderating over disadvantages, he thought the disadvantages would disappear on trial.

Her Majesty decided to withhold her approval.

An enactment to amend Chap. 9 Sec. 8th of the Penal Code by abolishing whipping being under discussion Her Majesty remarked that there was another enactment set up to abolish whipping for petit larceny, Chap XVI Sec 14th Subdivision 4th to which she had no objection, but she did not see why a person who undertook a violent assault on another should not be dealt back in the same manner.

Mr Phillips observed that he thought it rather behind the age, and cited a case at Lahaina, in which a man

had been accused of a brutal assault on his wife, which had resulted in miscarriage - been convicted and punished by flogging - and in due course of nature the child was born - and it had been made to appear that the whole thing had been a conspiracy - Mr Harris observed that from the history as given it would appear that the conviction was right - and if the story had been true the punishment would have been quite just - The wrong was therefore in the crime of conspiracy against the man -

Dr Hutchison and Dr Smith expressed themselves to the same effect -

His Majesty withheld his approval

An Instrument to amend the law - establishing the Hawaiian Board of Health being under consideration

Dr Hutchison remarked that it was trivial in its character, but if it should serve to relieve the apprehensions of any regarding giving simple medicines for charity or to one's own family, it might be as well to let it become a law -

His Majesty - I do not see that there is any obstacle to that course -

Dr Hutchison - Nor is there any - but people are said to think so -

His Majesty - I can not sign it - it is really too trivial

An Instrument to admit - Steam boilers - iron and steel vessels outside for the use of schooners being under consideration -

Dr Hutchison and Mr Harris, which admitting that the exemption was of an

Exceedingly unimportant one - and not calculated to have any effect on business yet they advised His Majesty to approve - because - it had been deemed worthy of being presented by the Chamber of Commerce to the Legislature, and the Legislature had thought it of consequence enough to pass upon it

Dr Smith said that he had opposed it, in the Assembly, and still thought that it could not be of any benefit to the People

His Majesty - The fact is as stated by Dr Smith - It is of no use - and is only remitting a tax - however small - for no purpose - I can not sign it -

An enactment to diminish the Road labor days from Six - to Four -
The discussion was very slight - and quite similar to the foregoing -
His Majesty decided to withhold his approval

Regarding the other Bills before His Majesty there was no diversity of opinion and His Majesty rejected in addition to those Bills mentioned above
An act to prevent the enticing away of persons held to labor contracts
An act to provide for the translation and printing of Cushing's Manual

An act to repeal Sec 6th of Act to prevent the spread of Leprosy

An act to amend Sec 870 of the Civil Code.
An act to repeal an act to mitigate the evils arising from Prostitution

An Act to deprive the Inventory of the word "Tenants" and deprive them rights in Fisheries" —

An Act to amend Sec 5th Chap. 39 Trap on animals

An Act to amend Sec 915 of the Civil Code

An Act to provide for the Codification of the Civil Code —

An Act to amend Sec 488 of the Civil Code

The remainder of the Bills before His Majesty, he has pleased to approve — they will be found as published —

Chas. E. Hanna
Sec Lieut Council

A Cabinet Council was holden at Iolani Palace, on Monday, September 16. 1872.

Present: His Majesty,
The Minister of the Interior,
The Attorney General and
The Minister of Finance.

The records of the Cabinet Council were reported to be still in the custody of the late Minister of Foreign Affairs and the Minister of the Interior was requested to endeavor to obtain them.

The Attorney General was requested by His Majesty to keep the records of the Cabinet.

The Minister of Finance stated the condition of the Treasury at the close of business on Friday last, as follows:—

Gold	1.200.00.	
Silver	39.878.00	
Drafts (due merchants)	3.656.96.	
Certificates of deposit	6.900.00	
Advd to Int. Dep.	63.168.00	
" to Bd of Edu	8.946.44	
Bill	122.40	$123.871.80

The Minister also reported that certificates of deposit to the amount of $50.450.00 were in circulation, being $10.842.00 in excess of the silver in the vaults, and that $12.400 was due for temporary loans without interest, making the total amount of liabilities on demand $23.242.00

This is in addition to $15.602.00 deposited by order of the Supreme Court, and all the current liabilities.

Note Account.

The whole amount of Note Bonds already issued is $47.700.00

Out of this amount have been paid on account of notes said to be signed by forgery parties $43.152.01

and for interest on the same $2.375.53
There still remains due on account of the Hotel. $30.847.49
It is reported that this balance is represented by a note held by Messrs. H. Hackfeld & Co. which note falls due about Oct. 1. prox.

Certificates of deposit.

These certificates have been issued since March 31 ult. to the amount of $73.000.00
Amount now outstanding 50.450.00
Showing a contraction in six months $22.550.00

The Minister of Finance said that he should require on the 1st October for quarterly disbursements about $40.000.00
and although opportunities were occurring for disposing of the authorized loan, he did not think to dispose of money in hand is not such a amount, and that a temporary loan would be required of about $20.000.00

Upon this statement, the Cabinet

Resolved:

That the Minister of Finance be directed to effect all the loans authorized by any existing law, as soon as may be, and that he advertise, that he will issue the same, in sums to suit, and in denominations of $1000.00, $500.00, $200.00 or $100.00 at the option of the applicant, the same to be issued for not less than four, and, at a rate of interest, not exceeding 9%.

Resolved:

That the Minister of Finance be authorized to obtain, by temporary loan, an amount not exceeding $20.000.00

The Minister of Finance called attention to the note held by Messrs Hackfeld and Co.

said to be signed by private parties, and which Messrs. H. Hackfeld & Co. were reported to be willing to Extend for 3 months at 1% per month, upon receiving as collateral security the bonds of the government for an amount Equal to the balance thereof still unpaid, the same to be retired, when the note shall be paid, and a proportionate retirement to be made upon any partial payment.

The Minister of Finance was authorized to carry out this arrangement, upon receiving a satisfactory conveyance of the Hotel property.

The Minister of Finance called attention to a demand made by the agents of the California Australian & New Zealand Steam Navigation Company for an instalment of subsidy withheld by his predecessor. But the consideration of this matter was temporarily postponed.

The Acting Minister of Foreign Affairs called attention to a claim by the United States government, for the transportation of shipwrecked Hawaiian seamen from the Arctic, and after examining the resolution of the Legislature, he was directed to pay the sum of $2.057.00 upon the order of the Minister Resident of the United States.

The Acting Minister of Foreign Affairs was also authorized to recognize the authority of Mr. Theophilus H. Davies, in the absence of James Hay Wodehouse, Esquire, Her Britannic Majesty's Commissioner and Consul General, to represent the government of Her Britannic Majesty, according to the request of Mr. Wodehouse, duly exhibited.

The Acting Minister of Foreign Affairs also called attention to the correspondence relative to affairs in China and Japan; but, by request of His Majesty, the consideration of the subject was postponed till another meeting.

Adjourned.

Stephen H. Phillips Atty Genl

Illness of His Majesty.

Honolulu, Tuesday, December 10. 1872.

By request of Dr. Hutchison, Messrs. Charles R. Bishop and Charles C. Harris, Privy Counsellors met all the members of the Cabinet, at the office of the Minister of Finance, at 1 o'clock p. m.

Dr. Hutchison explained that he had called the gentlemen together to consider the subject of His Majesty's health, about which he had some anxiety. It was known to the gentlemen, that for Eight or Nine years, in fact, even since His Majesty's accession, he had had troubles which required surgical treatment. At first, these were quite frequent; but, afterwards, they occurred more rarely, and for quite an interval, he had but little trouble. Some months ago, upon the occasion of a dinner in honor of the English Bishop, recently arrived, His Majesty found himself too unwell to be present, and since that day (in July last) His Majesty has not left the precincts of the Palace. He got better. The abscess was almost healed up. Only a slight discharge recovered. Dr. H. desired a change, and advised His Majesty to go to Molokai; and, if not, then to Waikiki, as he said he preferred the beach. At all events, Dr. H. hoped he would make a move. Just afterwards, during the prevailing influenza, His Majesty took a severe cold, which made his removal less practicable. As he was getting better of the cold, he desired Dr. H. to look at what he called his wound, (the abscess on the buttock) and Dr. H. found that it had not healed as well as he hoped. Upon opening it, he observed that matter was evidently forming. He observed this about ten or twelve days ago, and about a week ago it burst. He is now doing well. A few days ago, however,

Dr. H. was alarmed by a swollen appearance and shortness of breath, which he attributed to the King's corpulence, as the effect of want of exercise. A day or two later, in consequence of what was said by attendants as well as the peculiar manner of the King's lying on one side, he insisted upon seeing what was the matter, and became satisfied of the existence of dropsy. Now the question was, What caused the dropsy? Dr. H. was inclined to attribute it to a general corpulent habit, for he made various examinations as to the condition of the heart, and other hearts and found no trouble. He then gave him strong purgatives. They acted partially at the time; but, for three days, there had been no discharges, notwithstanding the powerful physic he had administered. He also gave a diuretic, without result. He then consulted Dr Trousseau, who agreed with him in the use of a violent purgative, and suggested that it be given once in 100 hours, but Dr. H. thought once in four hours, sufficiently often. Dr Trousseau then visited the King, by request of Dr. H., and personally investigated the case. He agreed with Dr. H. that he saw no symptoms of disease, except the dropsical indications. He insisted that His Majesty required active exercise. The only unfavorable symptom noticed today was an albuminous condition of the urine, which might indicate disorder of the kidneys. Dr. H., in fine, stated that although he considered His Majesty's condition, such as to cause anxiety, he did not believe him to be in immediate danger, and did not think of anything more which could be done at once. Still he would be glad of any suggestions as to the course to be pursued.

Then ensued an irregular conversation, but it appeared to be the concurrent opinion of all present, that Dr Hutchison and Dr Trousseau should continue to visit His Majesty, as they had done, and that Dr. H. would report the condition of His Majesty to the gentlemen

from day to day. It was agreed by all that it was desirable to avoid notoriety as to His Majesty's condition, not only because some of the rumours to which it would give rise, might be reported back to the King, but because an alarm might be excited for which there was no present occasion.

The gentlemen separated, to meet at the same place at 11 o'clock tomorrow, to hear Dr. Hutchison's report, and it was requested that Dr. Trousseau might also attend.

This record of the meeting is taken in pursuance of an understanding expressed while the gentlemen were together by

Stephen H. Phillips.
Atty Genl.

Note by S. H. P.

The above record was reduced to writing immediately after the gentlemen in attendance separated. In view of its importance, and in accordance with what I thought the desire of my colleagues, I entered it on the official records. On the succeeding night His Majesty suffered somewhat, between 4 & 5 o'clock a.m. on the next morning, had a severe attack from which his attendants feared he would not rise. He did rally however, and all about him were temporarily encouraged; but things took a fatal turn just after 10 a.m. on the 11th Dec. and at 20 minutes past 10, His Majesty died, as will appear by the official record on the next page.

Honolulu, Dec. 11. 1872.

Death of His Majesty Kamehameha V.

His Majesty, Kamehameha V. departed this life, in his ordinary bed-room, within the precincts of Iolani Palace, on Wednesday, December 11. 1872. (being his birth day) at 20 minutes past ten o'clock in the forenoon.

His Majesty had just attained the age of Forty Two (42) years, and the immediate cause of his death was asphyxia.

The Attorney General was present at the decease of His Majesty; and the Minister of the Interior, arriving a few minutes later, assured himself of the fact of death, by a personal view of the body of His deceased Majesty.

As soon as the Ministers could be assembled together, to wit: at eleven o'clock in the forenoon of the same day, a cabinet Council was holden in one of the rooms of Iolani Palace, at which were present:—

The Minister of the Interior,
The Attorney General and
The Minister of Finance.

The fact of His Majesty's death having been satisfactorily ascertained, it was duly noted, and, after considering the provisions of the Constitution in such case made and provided, it was

Ordered;

That a meeting of the Legislative Assembly be caused to be holden at the Court House, in Honolulu, on Wednesday, which will be the Eighth day of January

A.D. 1872, at 12 o'clock noon; and of this order all Members of the Legislative Assembly will take notice, and govern themselves accordingly.

Geo. M. Ritchie
Minister of Interior

Stephen H. Phillips,
Attorney General.

Robert Stirling
Minister of Finance

A Cabinet Council was holden at the office of the Minister of Finance, on Friday, December 13, 1872. at 12 o'clock, M.

Present: His Honor the Chief Justice, in invitation, and all the members of the Cabinet.

His Honor, the Chief Justice suggested the propriety of inviting the Privy Councillors to assemble, informally, and take some suitable notice of the demise of His late Majesty.

After consultation, the following form of invitation was agreed upon:—

"In view of the great calamity which has overtaken this Nation, the Chancellor of the Kingdom requests the Members of the Privy Council to assemble, informally, at Iolani Palace, on Monday, December 16th at 12 o'clock noon, to place upon record, some suitable expression of their regard for the memory of His late Majesty Kamehameha V., and their appreciation of the great loss which his people have sustained."

Court House, Honolulu, Dec. 16. 1872.

See over next

Resolved;

That transmit to His Excellency P. Nahaolelua, the President of the Legislative Assembly, a copy of the order adopted on the eleventh instant, requiring the Legislative Assembly to meet in the Court House, at Honolulu, on Wednesday, January 8. 1873 at 12 o'clock noon.

Resolved;

That the Minister of Finance be directed to advance such sums of money as may be required for the funeral Expenses of His late Majesty.

Resolved;

That this Cabinet will assemble at 12 o'clock, meridian, of Each Secular day, and that His Honor the Chief justice be invited to attend such sessions, whenever he may find it convenient.

Adjourned;

Stephen H. Phillips.
Atty Genl.

A Cabinet Council was holden at the office of the Minister of Finance, on Saturday, December 14. 1872, at 12 o'clock, M.

Present: His Honor, the Chief Justice, by invitation, and all the members of the Cabinet.

No formal proceedings were had and the meeting

Adjourned.

Stephen H. Phillips
Atty Genl.

It was impossible to hold any cabinet council, on Monday December 16. 1872 on account of the meeting of the Privy Councillors, whose proceedings appear on the next page.

Stephen H. Phillips
Atty Genl.

333.

UPON the return of the Chancellor of the Kingdom from Lahaina, he expressed a desire that the Privy Councillors should assemble, informally, at an early day, and after consultation, His Honor, being the eldest Councillor, issued the following invitation:

"In view of the great calamity which has overtaken this Nation, the Chancellor of the Kingdom requests the members of the Privy Council to assemble, informally, at Iolani Palace, on Monday, December 16th, at 12 o'clock noon, to place upon record some suitable expression of their regard for the memory of His late Majesty KAMEHEHA V., and their appreciation of the great loss which his people have sustained.

Court House Honolulu, Dec. 16, 1872.

All the Privy Councillors known to be in Honolulu assembled upon this invitation at Iolani Palace on Monday, when the Chancellor addressed them as follows:

GENTLEMEN: In view of the overwhelming loss to the Nation, by the sudden death of our beloved Sovereign, and of the sorrow which this melancholy event has especially caused to us, who have been so long and so intimately associated with His late Majesty "in the consideration of matters for the good of the State," I thought it proper, in which the Cabinet of His late Majesty concurred, to ask you to assemble informally, that we might give such expression of sympathy and sorrow as the melancholy event may naturally suggest.

In making a request for this meeting, I have assumed no authority, Gentlemen, to ask you to assemble as a Privy Council; but it was the best mode which occurred to me of asking the friends of His late Majesty, who have been associated with him in the public councils, to assemble together that they might have opportunity to give such expression as they thought worthy of the occasion, and to place upon record a memorial of the very high appreciation we have always entertained of His wisdom and patriotic devotion as a Sovereign, and His noble qualities as a Man.

Upon the conclusion of the Chancellor's remarks, the Privy Councillors, after consultation, unanimously agreed upon the following declaration and resolutions, which will be signed and presented for record when a new Sovereign shall summon a Privy Council:

The Privy Councillors of His late Majesty KAMEHAMEHA V. having assembled, after receiving intelligence of his untimely demise, by invitation of the Chancellor of the Kingdom, are anxious to have placed upon the records of the Privy Council, some expression of their appreciation of their deceased Sovereign. Most of them have served the late King during the entire period of his reign, and many of them held a seat in the Council during the reign of at least one of his predecessors. They were thus brought in contact with the late Sovereign before his accession to the Throne and while he held a most responsible position in the organization of the Government.

They therefore request His Honor the Chancellor of the Kingdom, whenever any Privy Council may lawfully be assembled hereafter, to present the following resolutions, and to request that they may be placed upon its records:

Resolved, That the Privy Councillors here assembled have received with profound sensibility the intelligence of the untimely death of their late Sovereign, King KAMEHAMEHA V., in the meridian of life, while they were sincerely hoping that His mild reign would have continued for many years to promote the welfare of His people and the dignity and strength of His Nation.

Resolved. That we bow with reverence to the inscrutable decrees of Divine Providence, which tempereth all things well, but we can not be indifferent to the great loss which this Kingdom has sustained; that we especially appreciate the moral force, the sagacity and deliberate wisdom which enabled our late lamented Sovereign to uphold with so much dignity the authority of His Crown, and the mild spirit which characterized all the Sovereigns of the KAMEHAMEHA Dynasty, and which was largely shared by the last of the line.

Resolved, That we sincerely respect His attachment to the people of His own native race, and the pride with which he contemplated their position among the nations of the earth; the firmness with which he always asserted their independence, and the anxiety for their welfare which had such a controlling influence upon His national policy. Now, that He is numbered with His Ancestors, we humbly commend the people who are deprived of a father, to the generous consideration of the whole world, and the guardian care of Almighty God.

Resolved, That in this hour of personal as well as public affiliction the Privy Councillors tender the expression of their profound sympathy to all who were connected with the late Sovereign by any ties of kindred or affection, and most especially to Her Excellency Ruth Keelikolani, the Sister of the deceased and the last of His immediate family, to whom the Chancellor is especially requested to communicate the feelings of the Privy Councillors, in such form as may seem most appropriate in view of her great bereavement.

The following named Privy Councillors were present: His Honor the Chancellor, and the Cabinet Ministers, Hons. C. Kanaina, J. O. Dominis, P. Kanoa, P. Nahaolelua, S. N. Castle, His Highness W. C. Lunalilo, Hons. C. R. Bishop, C. C. Harris, D. Kalakaua, W. P. Kamakau, J. W. Makalena, Godfrey Rhodes, and J. M. Smith.

The above printed slips are cut from the Hawaiian Gazette of December 18. 1872.

A Cabinet Council was holden at the office of the Minister of Finance, on Tuesday, Dec. 17. 1872 at 12 o'clock M.

Present: His Honor the Chief Justice, by invitation, and all the members of the Cabinet.

The Minister of the Interior read a Statement of the nature and causes of His late Majesty's death, which he desired to revise in consultation with Dr Trousseau, and ultimately to place upon the records of the Cabinet.

It was

Resolved; That a circular in the form given below, be published in the Gazette, and sent to each officer of the Government.

The attention of all officers of the Government is respectfully invited to the impropriety of any *official* interference in determining the question of succession to the Throne.

It is a question upon which every subject undoubtedly feels the deepest interest, and all have a right to express their views in an orderly manner, individually and collectively, and to suggest their wishes to the members of the Legislative Assembly, to whom, by the Constitution, the right of choosing a successor belongs. But no officer of the Government has any *official* right or duty in the matter—least of all in an official capacity, to hold or preside at any election for which the sanction of official authority is claimed.

F. W. HUTCHISON,
Minister of Interior.
S. H. PHILLIPS,
Attorney General.
R. STIRLING,
Minister of Finance.

Honolulu, December 17, 1872.

The accompanying slip is from the Hawaiian Gazette of Dec. 18. 1872. Copies were taken to every government office official. J. H. P.

Adjourned:

Stephen H. Phillips
Atty Genl.

A cabinet council was holden at the office of the Minister of Finance, on Wednesday, December 18. 1872 at 12 o'clock noon.

Present: All the members of the Cabinet.

It was

Resolved; That the Minister of the Interior be requested to furnish for preservation with

the cabinet records, the medical opinion read yesterday as to the nature and causes of His late Majesty's fatal illness.

The Minister said that he would do so, after revising the same in consultation with Dr. Trousseau.

The Minister of Finance reported that the California, Australia and New Zealand Steamship Company had applied for the monthly subsidy, due under their contract, but that he hesitated to pay the same, under all the existing circumstances, especially as he felt serious doubts whether the same had been earned. He was momentarily expecting a demand for the same in writing, and asked advice as to the proper form for a reply. He was advised to wait for the written demand, which might suggest the form of reply.

Adjourned.

Stephen H. Phillips
Atty Genl.

A Cabinet Council was holden at the office of the Minister of Finance, on Thursday, December 19. 1872, at 12 o'clock M.

Present: All the members of the cabinet.

No formal proceedings were had.

Adjourned.

Stephen H. Phillips.
Atty Genl.

A cabinet council was holden at office of the Minister of Finance, on Friday, December 20. 1872, at 12 o'clock, M.

Present: His Honor the Chief justice by invitation, and all the members of the cabinet.

The Attorney General asked for and obtained leave to present the document upon the next page. in the records of the cabinet

A statement in regard to his late Majesty's Expression or wishes as to the Succession.

I was summoned to the Palace, about daylight, on the morning of His Majesty's death, and proceeded there instantly. When I arrived, I found the King in an apparently extreme state, and some steps were taken, toward the execution of a will, by Gov. Dominis. In accordance with what seemed to be in general wish, I endeavored to carry this plan into execution, and I requested Gov Dominis to write, at my dictation, what appeared to be the expressed will of His Majesty. He had written but little, when the King, notwithstanding the repeated request of many, refused to do more until he could think and rest, and all adjourned for a time from further intruding upon him. After some delay, Dr Trousseau having stated to me what we considered the extremity of the case, I tried to Explain to His Majesty that if he wished to do any Solemn act, he should do so at once. He then called Gov. Nahaolelua to his side and held a long conversation in the native language which I did not understand. After this, he called me up to him, and then said to Mrs. Bishop that he desired her to succeed to his throne. She said No! — her wish was that his sister should succeed him, and argued to the King in favor of such a course, and said all that she or others would aid her. She also mentioned Queen Emma, but His Majesty did not Express assent. I then said that if His Majesty desired to Express any wish on the subject, it was my duty to see that he had an opportunity to do so. Mrs. Bishop said she was pleased with mine in accordance with what she thought just. At this point, the King's state was such that it was thought necessary to clear the room; and, in this interval, I said to Mrs. Bishop that although I ought not to Exert any influence, I thought it was the Kings right to have his wishes in her favor expressed in a form [illegible]; and, although ~~I ought not to Exert any influence~~ the utmost respect was due to the delicacy of her feelings she and a mistaken [illegible] it was my duty

to urge His Majesty to give way to his wishes. When the thing was to come upon him he, he was so much moved that it was a painful ordeal to his attendants at once, as the inevitable pain was coming to an end. His Majesty has also shown a desire for a little rest and nourishment. The last fatal struggle was, at the time, quite unexpected, and prevented any action being taken upon the subject of the succession."

I think Gov. Dominis must have had most of the conversation with Mrs. Bishop, for I cannot think of any one else who did. Earlier in the morning I understood (not very clearly, as his enunciation was not very distinct) the King to object to nominating any successor.

Yours &c. J. Phillips.

The Minister of Finance called at Lawton's in order to keep the Government Gazette free from partisan articles, and produced the following, which he drawing up he signed, and which was agreed to by all present.

HAWAIIAN GAZETTE EXTRA.

FRIDAY, DECEMBER 20, 1872.

It is proper to make known that those who are responsible for the Government Press, do not indorse any statements printed for private parties at their own expense and in their own interest;—nor does it follow that any papers thus printed represent in any way the views of the officers of the Government or have the sanction of official authority.

KE AU OKOA. KUIKAWA.

HONOLULU, DEKEMABA 20, 1872.

He mea kupono i ka poe i ili mai ai ka oihana Papa Pai Aupuni ke hoike aku, aole lakou i apono i kahi mau mea i paiia no kahi poe kuloko, ma'ko lakou mau lilo a me ko lakou mau pomaikai ponoi iho;—a aole no hoi ia mau pepa i'paiia, he mau mea e hoakaka ai i na manao maoli o na Luna Aupuni, a i loaa aku hoi ka apono ana o na mana Aupuni.

The gentlemen composing the Cabinet of His late Majesty will not improperly assume or avoid any responsibility; but they have not formed or expressed any opinion as to the rights or qualifications of any "native alii" who may aspire to the throne;—neither is the opinion of any member of the Cabinet known to either of his colleagues. Whatever views they may be entitled to express, they will not hesitate to make public at a proper time and place; but, until required to do so, they will strictly adhere to the rule they have recommended to others, and scrupulously abstain from any official interference.

This statement is required by a suggestion in the *P. C Advertiser* of yesterday, that a certain Proclamation had been studiously omitted, and because an anonymous handbill has been generally distributed which was printed at this office.

It must be understood that the Government GAZETTE can not be controlled for partisan purposes, and that nothing of a partisan character will be tolerated in its responsible columns. Statements respectful in character, will be printed for any party in the advertising columns, or in posters, at the regular rates; but, hereafter, a responsible name must be attached to every thing thus published.

Aole no hoi e lawe wale aua na hoa o ka Aha Kuhina o ka Moi i hala i kekahi mana; aka, aole lakou i hapai a i hoopuka i kahi manao no na kuleana a me na kupono o kahi "Alii Maoli" e kau aku ana i ka nohoalii; a aole no hoi i hoikeia ka manao o kahi hoa no ia mea i kekahi o kona mau hoa o ka Aha Kuhina Ina e loaa aua kahi mau manao a lakou e kuleana ai ke hoopuka aku, aole lakou e kapalua aua i ka hoike akea ana aku ma kahi a me ka manawa kupono; aka, ke ole lakou e konoia mai e hana pela, e uhai no lakou mahope o ka rula a lakou i waiho aku ai ia hai, a e pale loa no hoi lakou mai ke komo ana aku e keakea pili oihana.

Ua konoia mai ka hoopuka ana aku i keia mea, mamuli o kahi manao i waihoia mai e ka *P. C. Advertiser* onehinei, na kapaeia ka kekahi Olelo Kukala, a no ka mea, na kaana laulahaia kekahi pepa i kakau inoa ole ia, mai keia keena aku

He mea kupono ke hoomaopopoia, aole e hiki i ka Papa Aupuni ke hooliloia no na manao o kahi poe kukahi kaokoa, a aole no hoi kahi mau mea o ia ano e ae ia ma ko makou mau kolamu nupepa. E paia no na mea kupono no kela a me keia mea ma na kolamu hoolaha, a ma na pepa lilii paha, ma na ano uku mau; aka, mahope aku o keia manawa, e kauia kahi inoa kupono i kela a me keia mea e hoolahaia ana pela.

Meeting Adjourned.
Stephen H. Phillips,
Atty Gen'l C.

A cabinet council was holden at the office of the Minister of Finance on Saturday, Dec. 21. 1872, at 12 o'clock, M.

Present: All the members of the Cabinet.

The Attorney General called attention to the case of several prisoners, who were engaged in a disturbance of a riotous nature, at the prison, upon the day of the Majesty's decease, and many of whom were now in close confinement. The question was as to the propriety of causing criminal prosecutions to be commenced against them for violations of Statute Law, but the opinion of the Cabinet was, that, for the present, it should be treated as a matter of prison discipline merely. In this connection, also, attention was called to the [illegible] of soldiers and arrest at the barracks, for their participation in the same affair, and the arrest of Sou Dominis from

defining the Examination of the cases for the present was also approved.

Several other matters were discussed but nothing of a formal nature, and requiring record.

His Honor, the chief justice, arrived just before the close of the session, but took no part in any of the discussions.

Adjourned:

Stephen H. Phillips.
Atty Genl.

A Cabinet council was holden at the residence of the Minister of Finance, on Monday, December 23. 1872. at 12 noon M.

Present: His Honor the chief justice by invitation, and all the cabinet ministers

The acting Minister of Foreign relations called attention to the correspondence between Her Majesty's chargé d'affaires at London, and H.B.M. Foreign Office, relating to the case of the Harvest, which had been discharged by the Commission and which correspondence had been received since the conclusion of the Geneva Conference. The acting Minister was advised to publish the same at an early day.

Adjourned.

Stephen H. Phillips.
Atty G. G.

No cabinet council was holden on Tuesday December 24. 1872, - the members of the cabinet being all in attendance at the Royal Mausoleum, upon the occasion of inclosing the remains of His late Majesty, Kamehameha III in a new sarcophagus, which act was performed this day

Stephen H. Phillips.
Atty Genl

No meeting was holden on Wednesday Dec. 25. 1872 — it being Christmas Day.

Stephen H. Phillips Atty Gen.

A cabinet council was holden on Thursday Dec. 26. 1872, at 12 o'clock M. at the office of the Minister of Finance.

Present: All the members of the cabinet.

A form of an address to be presented to the Legislative Assembly, on the 8th of January next. was considered but not finally determined upon.

Adjourned.

Stephen H. Phillips.

A cabinet council was holden at the office of the Minister of Finance, on Friday, Decr 27. 1872, at 12 o'clock M.

Present: His Honor the Chief justice by invitation and all the members of the cabinet.

The Minister of Finance presented the following letter and the indorsement thereon, which he stated to be the first notice he had received of the request referred to in the letter:—

Honolulu, Decr 26. 1872.

Mr. Minister:

Messrs Hackfeld & Co. have reminded me of a memorandum under date of May 4th a copy of which I transmit to you. It had entirely escaped my memory. You will see that it was necessary for them to withdraw funds abroad $39.000 — which was hospitably invested in S.F. and we promised them that they should not lose on the exchange. If the proposition to continue the $40.000 as a permanent loan had been accepted, the point of difference of exchange would not have arisen. The point raised in the case as probably true is of no present importance. As that was in accordance of the decision of the Court that citizens had no to pay tax on property abroad. Point as

I understand them, they think they ought to have Exchange furnished them at the same price they sold for — or be put in an equivalent position by payment of the difference of Exchange. I am not aware what this difference is — if it is anything. but I presume that it is something or they would not have addressed me on the subject.

Yours, Your Excellency's
Most obedient servant
Chas. C. Harris.

To His Excellency
Robert Stirling,
Minister of Finance.

(Enclosure) Copy

Honolulu, May 4. 1872.

Dear Sirs,

As it is not my intention to consider the loan of sixty Thousand Dollars to His Majesty and you as a Matter of business a profit to me or the firm, so I should likewise not be the loser by the operation. I expect therefore not to pay property tax on this sum, nor should I use on the Exchange for $39.000 which I must draw in order to make up the $60.000. Neither should I pay property tax on the $12.000 already paid to Mr. Webb.

If these points are to understood by His Majesty and you the money will be ready for you on call.

Yours very truly.
(signed) J. C. Pfluger

Private & Confidential. We would be unhappy to see it on the Exchange with J. Watts Smith signature & Harris

Thos Excellency
C. C. Harris &
J. W. Smith

After hearing the above read, the Minister of the Interior and the Attorney General, who were members of the Cabinet on the 4th day of May last, both expressed astonishment, and stated that they had never heard any sug-

gestion of the Kind before. After some conversation, the immediate consideration of the matter was dropped, but the Minister of Finance was advised, if sufficiently in funds, immediately to pay the balance due upon the note held by Messrs Hackfeld & Co to which the name of His late Majesty was signed.

Meeting adjourned.

Stephen H. Phillips.
Atty Genl

A cabinet council was holden at the office of the Minister of Finance, on Saturday, Decr 28. 1872 at 12 o'clock M.

Present. All the members of the Cabinet.

The Minister of Finance reported that he had paid to Messrs A. Hackfeld & Co., the promissory note to which the name of His late Majesty was signed, and that the note had been given up as cancelled. He had not as yet paid the difference of Exchange claimed by Messrs A. Hackfeld & Co., who considered that they had a legal claim therefor upon Messrs Harris & Smith; according to the memorandum, a copy of which is entered upon the records of the last Meeting.

Adjourned.

Stephen H. Phillips.
Atty Genl

A Cabinet council was holden at the office of the Minister of Finance, on Saturday, Decr 31. 1872, at 12 o'clock M.

Present: The Ministers of the Interior & Finance.

His Honor the Chief Justice and the Attorney General were both engaged in Court, and no formal business was transacted.

Adjourned.

A cabinet council was holden at the office of the Minister of Finance, on Tuesday, Decr. 31. 1872, at 12 o'clock M.

Present: All the members of the cabinet.

The form of an address to the Legislative Assembly, was considered and substantially agreed to. It was then intrusted to the Minister of the Interior, to prepare a translation thereof, with the understanding that the same should be exhibited to His Honor the Chief Justice, and again considered before final adoption.

Adjourned.

Stephen H. Phillips. Atty Genl.

A cabinet council was holden at the office of the Minister of Finance, on Wednesday January 1. 1873, at 12 o'clock M.

Present: His Honor the Chief Justice, by invitation, and all the members of the cabinet.

In consequence of suggestions by His Honor the Chief Justice, as to his interview with His Highness W. C. Lunalilo — who appears to be indicated as the probable successor to the throne by unmistakable expressions of public opinion, — a long conversation ensued as to the propriety of a consultation with the Prince, before the meeting of the Legislative Assembly, as to the order of proceedings in the event of his Election. It was decided that as the Chief Justice was to meet the Prince again, the subject of a conference should be referred to the Chief Justice, to be arranged or abandoned as His Honor should think to be most wise, after he should have had another interview with the Prince.

Adjourned,

Stephen H. Phillips
Atty Genl.

A Cabinet Council was holden at the office of the Minister of Finance, on Tuesday, January 2. 1873 at 12 o'clock. M.

Present: All the Members of the Cabinet.

The Cabinet ordered that the certificate of the decease of His Majesty, by intercession thereto, and a transcript from the records of the cabinet, containing the proceedings on the death of His Majesty, be furnished to the Legislative Assembly to be preserved with its records

Adjourned;

Stephen H. Phillips,
Atty Genl

A Cabinet Council was holden at the office of the Minister of Finance on Friday, January 3. 1873 at 1½ o'clock p. m.

Present: The Chief Justice, by invitation, and all the Members of the Cabinet.

No business was transacted, but at 2 p. m. in accordance with an arrangement by the Chief justice, the members of the cabinet, in company with the chief justice, called upon Prince William Lunalilo, and ascertained his views as to the time & place of taking the oath of office, and His Highness seemed to be of opinion that it was most desirable that the oath should be administered upon the Palace steps, at noon, upon the day after the ballot in the Legislative Assembly.

Adjourned:

Stephen H. Phillips.
Atty Genl

A Cabinet council was holden at the office of the Minister of Finance, on Saturday January 4th 1873 at 12 o'clock M.

Present: The Chief justice, by invitation, and all the members of the Cabinet.

It was decided that the following questions be submitted to the Supreme Court, under the authority conferred by the 70th article of the Constitution.

I. Whether the authority of the members of the cabinet of His late Majesty, whose commissions were in full force, at his demise, continues until a newly elected Sovereign shall have taken the oaths required by the Constitution.

II. Whether the members of the cabinet of His late Majesty, are entitled, by virtue of their offices to sit at the meeting of the Legislative Assembly, which has been summoned to elect a successor to the Throne, and to vote at such election.

Adjourned:

Stephen H. Phillips
Atty Genl

A Cabinet council was holden at the office of the Minister of Finance, on Monday, January 6. at 12 o'clock M.

Present: The Attorney General and the Minister of Finance.

No formal business was transacted, and those present went to the Palace where they consulted with the Minister of the Interior & the Governor of Oahu, about arrangements for the funeral.

Adjourned.

Stephen H. Phillips.
Atty General.

The inclemency of the weather having prevented the execution of the arrangements for the funerals of His late Majesty, the same was postponed until Saturday, January January 11, 1872 at 10 o'clock A.M., and a cabinet council was holden at the office of the Minister of Finance.

Present: All the cabinet.

Several matters in relation to business

before the Legislature were discussed, and after some time, His Honor the Chief Justice arrived and produced the following opinion of the Justices of the Supreme Court.

To their Excellencies, The Members of the Cabinet of His late Majesty.

In answer to the inquiry of their Excellencies, the Ministers of the Interior and Finance, and the Attorney General concerning the force and effect of their commissions as Members of the Cabinet of His late Majesty, including the matter of their sitting and voting with the Legislative Assembly, at the election of a Successor to the Throne, it seems to us that their said commissions remain in full force and effect, until they resign, are removed, or their successors are appointed.

Although we now see no cause to doubt the right of the Ministry of the late King to sit in the Legislative Assembly, during the Election of a Successor to the Throne, still as that Body is the Judge of the qualification of its own Members, we respectfully refrain from expressing an opinion of their right to vote thereon until requested so to do by the Legislative Assembly.

We have the honor to be,
Very respectfully, Your Obedient Servants,
(signed) Elisha H. Allen,
Alfred S. Hartwell,
Hermann A. Widemann,
Justices of the Supreme Court.

January 7th 1873.

The Minister of the Interior asked for and obtained leave to place upon the records a Statement as to the nature and cause of His Majesty's fatal illness, being the same to which he invited the attention of the Council at the meeting of Decr 17. 1872, and which he had revised in consultation with Dr Fowler. The original signed by both physicians is pinated on the other side of the Page

For several months, His Majesty had suffered from a severe abscess situated immediately over the Tuberosity of the Ischium or Buttock as we should say in ordinary language - He had suffered from the same cause on several previous occasions. This abscess was unusually deep seated, difficult to cure and always lasted a considerable time. It was never possible to induce His Majesty to take exercise at those times - although the trouble in itself, after the acute symptoms had passed away was not dangerous and need not have prevented his so doing, had the inclination been present. On the present occasion it made its appearance about five months since - it rapidly suppurated was larger than usual, but pursued its ordinary course - it had nearly healed at the time of the late change in the Ministry - but was somewhat neglected at that time and the

Meeting adjourned.

Stephen J. Pilkington
Atty Genl.

Note by S. of S.: As the evidence contained in Mr Hutchinson's Journal is important to be preserved in the original I have pasted it in to the book, and as in process of time, it may be torn off or mislaid, I add a copy in this memorandum.

S. of S.

external wound healed without a sound cure being made in the cavity of the abscess itself. The King was urged at that time to change his residence, which he promised to do, but unfortunately never performed. To this abscess I ascribe the remote cause of the fatal result. The King being naturally of a very full habit and much inclined to obesity, by long residence in the house, without the slightest exercise, he only moving from his bed to the sofa rapidly developed an immense quantity of fat throughout the system. The immediate cause of death was no doubt brought about through imperfect oxydation of the blood. I believe the lungs to have become gradually unable to perform their proper function and that a circulation of blood imperfectly deprived of its carbonic acid to have overpowered the central organ of nervous force, viz. the brain, thereby bringing the whole machinery of the body to a standstill in the same manner as a man may be killed by running or the inhalation of charcoal fumes, the time only being more prolonged

I conceive this to have been brought about by the immense accumulation of fat in the system more especially in the abdomen thereby on the important organ of the lungs and restricting their capacity for their destined work. I do not believe that there was any organic disease of the important organs of the body - but the lungs was very much enlarged a thing to be anticipated from the sedentary habits of the King and there would have been found without doubt, if an examination could have been made, a large accumulation of fat around the heart.

From the above remarks I desire it to be understood as my opinion that the immediate cause of death of his late Majesty Kamehameha the fifth was "Asphyxia" slowly induced by the causes above mentioned

Honolulu Dec. 23. 1872

Geo. W. Rutherford
Attending Physician
to His Late Majesty

I fully endorse the above statements which by his Excellency D. Hutchinson
Dr. G. Francisco

Meeting adjourned
Arthur C. Wilcox
Atty Genl

P.S. As the act in anticipation of Mr Hutchinson's demise is important to be made in the original I have pasted it in the book, and as it forces in time, it may be too often consulted, I add a copy of the same herein
J. M. D.

C. v. of Certificate

For several months, His Majesty had suffered from a severe abscess situated immediately over the Tuberosity of the Ischium, or Butock as we should say in ordinary language. He had suffered from the same cause on several previous occasions. This abscess was invariably deep seated, difficult to cure and always lasted a considerable time. It was impossible to induce the King to take exercise at these times – although the trouble in itself, after the acute symptoms had passed away was not dangerous, and was not have prevented his so doing, had the inclination been present. In the present occasion, it made its appearance about five months since – it rapidly increased was larger than usual, but pursued its ordinary course – it had nearly reached at the time of the late change in the Ministry but was somewhat regulated at that time and the contents were healed without a sound cure being made in the cavity of the abscess itself. The King was urged at that time to change his residence which he promised to do, but unfortunately never performed. To this excess I ascribe the remote cause of the fatal result, the King being naturally of a very full habit and much inclined to obesity, his long residence in the house, without the slightest exercise, he only moving from his bed to the sofa rapidly increased an immense quantity of fat throughout the system. The immediate cause of death was no doubt brought about through imperfect oxydation of the Blood. I believe the lungs to have become gradually unable to perform their proper functions and that a circulation of Blood imperfectly deprived of its carbonic acid to have overpowered the central organ of nervous force, viz – the Brain – thereby bringing the whole machine of the Body to a stand still in the same manner that a man may be killed by drowning or the inhalation of charcoal fumes, the time only being more prolonged.

I conceive this to have been brought about by the immense accumulation of fat in the system & especially in the abdomen, pressing thereby on

the important organs of the body, were in their capacity for their natural work. I do not believe that there was any organic disease of the internal organs of the Body. But the liver was very much enlarged a thing to be anticipated from the dissolute habits of the King and there would have been found without doubt, if an examination had been made, a large accumulation of fat around the heart.

From the above remarks, I desire it to be understood as my opinion that the immediate cause of death of His late Majesty Kamehameha the fifth was asphyxia slowly induced by the causes above mentioned

Honolulu Decr 23 – 1872

Fred^k. W. Hutchison
Attending Physician
of His late Majesty.

I fully endorse the above statement made by His Excellency Dr Hutchison.
Dr G. Trousseau.

No Cabinet Council was holden on Wednesday, January 8. 1873 as all the Ministers were in attendance upon the Legislature at the session of which, His Highness William C. Lunalilo, a native Alii was unanimously elected Successor to the Throne.

Stephen H. Phillips,
Atty Genl.

On Thursday, January 9. 1873 being the day appointed for the administration of the oath to the newly elected Sovereign, the members of the Cabinet accompanied His Honor the Chief Justice, to the vestibule of Kawaiahao Church, where they awaited the arrival of His Highness, who

reached the church at precisely 12 o'clock M., accompanied by the Staff of His late Majesty. His Honor the Chief Justice and the gentlemen of the Cabinet escorted His Highness to the platform of the church, where the oath prescribed by the Constitution was administered by the Chief Justice in both languages to His Highness, who accepted the same under the royal style of Lunalilo. Proclamation was then read upon which the royal standard was run up and a salute fired. Afterwards His Majesty was pleased to deliver addresses in both languages;— and he then proceeded to the Palace, with His Honor the Chief Justice, the members of the Cabinet and others, who soon retired after presenting dutiful compliments.

It was the purpose of the gentlemen of the Cabinet at this time to have tendered their resignations, but upon an intimation from the Chief Justice that it would be more agreeable to His Majesty that nothing of this kind should be done until after the funeral of His late Majesty they decided to act accordingly.

The new Sovereign having been Constitutionally chosen and qualified, and publicly proclaimed as such, in the judgment of the Ministers, no more Cabinet councils can be holden without His command.

Geo. M. Robertson
Minister of the Interior

Stephen H. Phillips
Atty General

Robert Stirling
Minister of Finance

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Jany 13th 1873.

The following named gentlemen having recd. from His Majesty Lunalilo, Commissions as follows:

Chas R Bishop.	Minr of For. Affairs, Secy of War and the Navy
E. O. Hall	Minister of the Interior -
Robt Sterling	Minister of Finance, and
A. F. Judd	Attorney General -

were requested to meet His Majesty at 1.30. o'clk P.M. Met His Majesty at his private residence in Kalaniana'ole, attended by the Chief Justice.

After each of the Ministers had tendered their thanks to His Majesty, they subscribed to the usual oath of office, administered by the Chief Justice -

The Chief Justice read the draft of a Message which His Majesty proposes to send to the Legislative Assembly to-morrow by Commissioners - the Chief Justice and Gov. Nahaolelua, the President of the Leg. Assembly - proposing certain amendments to the Constitution, and leaving it to the Assembly to bring in such other amendments as they may think desirable, and promising to give them a respectful consideration.

The amendts proposed relate to the Separation of the Nobles and Representatives into two houses; the removal of the property qualification for electors; the making the Atty Genl a non-Cabinet Officer - and adding to the Article relating to Veto a clause requiring the King to give his reasons for having vetoed a Bill or Resolution. The latter was suggested by the Atty Genl approved by the Chief Justice, and adopted by His Majesty. There was some doubt in Mr Wallis mind about the advisability of taking the Atty Genl out of the Cabinet and House of Nobles, but the Chief Justice and Atty Genl favored it, and as none objected, the message was not changed.

Twelve o'clk to-morrow is the hour set for delivering the Message to the Assembly.

Mr Bishop was requested to take charge of the record of the meetings of the Cabinet Council

C R Bishop
Actg Secy. Cabinet Council

Jany 17th 1873

Cabinet met this day at Kalama House
Present His Majesty, presiding, Ministers all present, except the Atty Genl.

The Minr for Forn Affairs, said that the Ministers had called to consult His Maj. on the subject of dress for the members of the Cabinet, that they would all very much prefer to be excused from wearing any uniform; that the ordinary full dress for a Gentleman, with the addition of a wide blue Ribbon, would suit their tastes better than any other dress; that they were ready to do anything that would have an influence for good, and desired to please His Maj. in this matter, but being civil officers thought it would be no detriment to the Govt. for them to remain in plain clothes.

His Maj. said the idea was new to him, and he would take a little time to consider it. that he was not in favor of much show in dress or any other Equipage. that he had decided against display on the day of his inauguration, and would have no Kahilis carried in the street with him on the approaching Inauguration Ceremonies, and only two Kahilis in the Assembly's room. His Maj. mentioned a plain Court dress for his Ministers, - a sword &c, etc, but had not made up his mind about it. The Minr of Int. and the Minr of Finance both stated their decided preference for plain dress.

The question of Holidays was introduced by the Minr of Interior. His Maj. thought it hardly necessary to publish Christmas and New Year as holidays - and spoke of having an annual Thanksgiving day. The Minr of Int. favored a Thanksgiving day, and suggested that His Maj. might very acceptably (to Americans at least) appoint the same day that might be named by the President of the U.S., for many of his subjects would observe that day at any rate. The Thanksgiving day was not settled upon, but it was understood that the following would be

observed as Holidays (National) and be advertised a few weeks or days in advance of their date, to close offices & business - viz
Jany 31. His Majesty's Birthday -
June 11. Kamehameha 1st day
Nov. 28. Recognition, by Eng. & France
Dec 25. Christmas -
Jany 1 New Year's day

The Minrs of Int. and Finance said matters for consideration in Cabinet Council were accumulating in their offices -

Adjourned. C R Bishop
Actg Secy for C C.

His Maj's Private residence (Kalauna Hale)
Jany 22 1873.

Cabinet met this day at 1½ o'clk P.M.
Present His Majesty & the Chancellor - and all of the Ministers -

Privy Councillors.

Made up and agreed upon a list of names for Privy Councillors - and left it with His Majesty for revision and issue of Commissions. It was agreed upon that to make it certain that those gentlemen not newly commissioned should not be considered Privy Councillors, notice should be published to the effect that, all outstanding commissions issued previous to the date of these new ones, are cancelled.

Adjourned
C R Bishop
Actg Secy of the C Council

Feby 7th 1873.

Met at Hainoeiipu (Kalama House) at 11 o'clock A.M. Present His Majesty the King, and all of the Ministers (Messrs Hall, Stirling, Judd and Bishop)

Death warrant of Kuhaleaumoku.

The Attorny General (Mr Judd) laid before the Council the Death Warrant, with the certificates of verdict and sentence of Kuhaleaumoku - and stated that it had belonged properly to His late Majesty Kamehameha V to sign this Warrant, but in consequence of His sickness it had been omitted.

The Ministers each said that they knew of no mitigating circumstances in this case - that it seemed to have been a cold-blooded and premeditated murder, and that it was not a case in which His Majesty could properly be advised to exercise His Royal clemency. His Majesty having signified his concurrence in this opinion, the Warrant was left with Him for His signature.

* and Consul Genl for the Australian Colonies

The Min^r of For^n Affairs (Mr Bishop) presented a number of letters from Chas. St. Julian Esq. late Hawaiian Chargé d'Affaires for Southern Polynesia*, and present Chancellor & Chief Justice of the Kingdom of Fiji; from Edward Reeve Esq. His Majesty's Consul Genl for the Colonies of Australia - from Geo. N. Oakley Esq. Acting Vice Consul for Victoria - and from other parties applying for Consulships at Trieste and Liége. The letters from Mr Reeve were very voluminous.

Commissioner for Southern Polynesia

Mr Bishop stated that previous to resigning his office under this first Mr St. Julian had recommended the appointment of a Commissioner (with status of Consul Genl) for Southern Polynesia, extended to include Micronesia, Melanesia etc and of a Consul Genl ~~for~~ "Central Polynesia", to include Fiji, Samoa etc, with head-quarters at Fiji, this latter appointment, however, to be deferred for the present; that Mr Reeve, who has long been associated with St. Julian, was very anxious to be Commissioner or Chargé for Polynesia, Micronesia etc. Mr Bishop said he considered such an appointment inexpedient at present, and read a draft of his letter of this date in reply to Mr Reeve's letters, which was approved of by His Majesty and the other members of the Cabinet.

G. N. Oakley Consul

E. A. White Vice Consul

Mr Bishop, saw he had made out Commissions for George N. Oakley Esq as Consul for the Colony of Victoria, and for Ernest Augustus White as Vice Consul for the Port of New Castle. N.S.W. and read draft of his letter of this date to Gr N Oakley, Esq. The appointments and the letter were also approved of by the entire Council.

Trieste

At Mr Bishop's suggestion, the appointment of Consuls at Trieste and Liège were deferred for the present.

Japan

The recent appointments of Consuls in Japan were mentioned, and the subject of negociating a treaty with Austria referred to, but no special action taken —

The Minister of Finance (Mr Stirling) said that the subsidy for the months of June and July last (which was before he came into office) has not been paid to the Webb Line of Steamers, because they did not and could not take freight from Honolulu: that the subsidy for the month of Decr last has been withheld because they failed to bring any mail from Australia, and that at his request, the Agents, Messrs A Hackfeld & Co has consented to wait for the January payt. until he should have had time to consult the Cabinet: that he considered the Company entitled to pay for January, and that having been assured by the Agents, that new arrangements has been made in Australia so that henceforth there would be no failure to carry and fetch the mails and freight to and from Australia, he would advise payment of subsidy for the month of Decr also.

* the Pt. from N.Z. having been given the preference, and being as inside a Port for 5 days could take.

Subsidy to Webb's Steamers

The Atty Genl. (Mr Judd) moved that the Mr of Finance be authorized to pay the subsidy for the months of Decr and January last.

Carried and so ordered

Subsidy

Mr Bishop moved that action regarding the non-payment of subsidy for the months of June and July last be deferred until a full statement of the facts and circumstances which ~~relating~~ influenced the Minister to withhold the subsidy should be laid before the Cabinet — Carried — and ordered accordingly

Hollister case

Duties on Overland freights

The Minister of Finance said he had a letter request from Mr Hollister, asking for remission of duties on the amount charged for Overland freight on a quantity of Tobacco imported by him, and a letter from the Collector General of Customs on the same subject. This was a question that has been raised before by the Merchants, and some correspondence has taken place between them and his predecessor in office, Dr J Mott Smith, and the legal points had not been settled.

Mr Bishop moved that the legal questions as to the power to make a regulation under which such duties could be remitted, and all of the documents relating to the matter, be referred to the Attorney General, for him to examine and report upon to this Council. Carried.

Contract with U.S.N.Z. & A.S.S.Co. and C.O.&M.S.S.Co

The Minister of the Interior (Mr Hall) explained the situation of affairs between the Govt. and U.S.N.Z. & A. S.S. Co ("Webb Line"). Stated that in consequence of the failure of said Company to furnish an instrument of Cancellation of the Contract made with the California, Oregon & Mexico Steam Ship Company, on Aug 10th 1868, within the time specified in the Contract made with the first named Company on the 16th of April 1872, the last named contract was by its terms ended and null and void; as was also the obligations incurred by the letter of the Minister of the Interior accompanying said Contract, and bearing date April 15th 1872, and that the said Company had been so notified through its agents, Messrs H Hackfeld & Co; that he had lately received a letter from the said Agents, by which he was informed that they were prepared to deliver to him the cancellation above referred to, and explaining the reasons for the delay in furnishing the same.

H H & Co.

Cancellation Contract.

Mr Hall said he would advise that no advantage be taken of the failure to produce the cancellation of said Contract as above stated, provided the Company would agree to release the Government from all obligation to build a shed or covering

over the wharf, and to board up the side and ends of the present shed - and also provided it should be understood that storage shall be paid on all goods that may be put into the store-house used by the Steamship Co that do not go hence in a steamer -

The above was concurred in by all of the Cabinet, and the Min.r of the Interior was instructed to so advise the Agents of the "Pacific Line" - Mess.rs A Hackfeld & Co, and to arrange accordingly.

Commutation of Death penalty of Andreas Comacho -

The Attorney Genl reminded His Majesty and the Ministers that by the vote of the Privy Council on the 4th inst. it was left to His Majesty to commute the Death Penalty pronounced against Andreas Camacho by the Supreme Court, to imprisonment at hard labor for a term not less than ten years and not to exceed twenty years, that being the penalty for manslaughter in the first degree.

Twenty years imprisonment.

His Majesty said he fixed the term of imprisonment for Andreas Camacho - at twenty years from the date of his sentence, that being the First day of February A.D. 1873.

The Council then adjourned

Chas. H. Bishop
Acting as Secy for the Council

March 4th 1873

Cabinet met at Haimoeiku, at 10 o'clk A.M.

Present. His Majesty, the King
E. O. Hall Min. of Interior
Rob. Stirling Min. of Finance
A. F. Judd Atty. Genl
C. R. Bishop Min. of For. Affairs

Record of meeting of Feby 7th last read & approved.

Mr Hai. — Min. of Interior read application of Agents of R. Keelikolani for fifty years lease of land called Kalualoi on Molokai, @ $500 per annum; and letter of Governor Nahaolelua (Agent for Govt. Lands on Maui, Molokai &c

Appn of R. Keelikolani for lease of land (Kalualoi) on Molokai.

The Min. of the Interior, said he had been informed that this land contained about 40000 Acres - has been valued at 12½c per acre - had no wood or fresh water upon it, and was only suitable for grazing, and that too, only when used in connection with other lands having water. He recommended leasing it to Her Excy R. Keelikolani for twenty years at five hundred dollars per annum, which was agreed to, and so ordered.

Appn of F. H. Hamlin for land in Kona

The Min. of Interior, read application of J. H. Hamlin for upper part (above upper fort road) of Kaulolii, in N. Kona, Hawaii; and letter of H. N. Greenwell (Land Agent in that district) estimating said land at 300 Acres. It was

Resolved. That the Minister instruct Mr Greenwell to lease said piece of land to Mr Hamlin for a term of ten years, at not less than $30 per annum, and for any higher rent that he might deem fair, reserving the wood as usual, with the proviso that if the said land shall be devoted to the growth of Coffee or Cotton, the lessee shall have the privilege of renewing the lease for another term of ten years at same rent

CRB

Appn of A. S. Cleghorn for lease of premises in Lahaina.

The Min. of the Interior presented Application of A. S. Cleghorn & Co for five years lease of buildings now occupied by them on Court House Square, Lahaina, @ $200 per annum; and he was instructed to make the lease at not less than $200 per annum to the applicants, provided the present lessee - Edwin Jones - did not wish for a renewal of the lease to him on same terms offered by Messrs A S C & C.

Appn of WR Seal

The Minr of the Interior read application of W R Seal for a piece of land at Kakaako, lying between his premises (the J H Brown premises) and the mauka side of Kinau Street

Action on Mr Seal's appn deferred.

Unsigned Patents in the Intr Dept to Palace Lots

The Minr of Interior said there were several Royal Patents that were intended to have been signed by His late Majesty Kamehameha V, for the House lots of His present Majesty, the King, in Honolulu and Lahaina as by agreement in his possession, that had not been signed; that the consideration for the commutation of the Govt interest in these lots was a conveyance to the Govt of a lot within the Palace premises.

There being some doubt as to the legality of His Majesty's executing these Patents in his own favor, the question was referred to the Atty Genl for examination and to be reported upon to the Cabinet.

J. I Dowsett remission of Wharfage &c

The Minister of the Interior also presented a communication from James I. Dowsett dated the 3 inst. and enclosing a copy of his letter dated 11th Nov 1872 addressed to the late Minister of the Interior (Dr Hutchison) asking for remission of wharfage, water, tonage and seamen's taxes on 7/8 of the Barks "R W Wood" and Brig "Kamehameha V."

The application was discussed and the opinion that there was no special authority to grant the remission and that to do so might establish a mischievous precedent, prevailed. and the Atty Genl moved the following resolution.

Not remitted

Resolved. That in as much as by the XV Article of the Treaty with France, French Whaleships "shall enjoy in all respects the same rights, privileges and immunities which are or may be granted to the same "Hawaiian vessels and whaleships, or to those of the "most favored nation", and that, by parity, the vessels and whaleships of the United States, and other nations, can claim the same rights as the French, it is not deemed possible to grant the request of Mr Dowsett.

Correspondence with U.S. Minister on Reciprocity.

Mr Bishop called attention to late correspondence with the United States Minister Resident (Mr Pierce) upon the subject of a Reciprocity Treaty with the United States. and stated that it had been suggested that Honolulu would be the best place at which to conduct the negotiation should the U. S Govt.

signify a willingness to negotiate. The Minister of Foreign Affairs was instructed to intimate to the U. S. Minister Resident the preference of His Majesty for Honolulu, as the place for the negotiation.

E. M. VanReed dead

Mr Bishop said he had seen a memorandum in the "Alta California" of 16th February last that Eugene M VanReed Esq, a passenger, had died February 5, on board the S.S. "Japan" on her passage from Yokohama to San Francisco, and he suggested the person mentioned to be His Majesty's Consul General for Japan. And Mr Bishop advised that His Excellency C. E. Bakony, His Majesty's Minister Resident, near the Govt of Japan, should be written to and requested to name a suitable person to fill the office of Consul Genl. rendered vacant by the death of Mr VanReed. It was so ordered

Mr Bakony to name a successor to Mr VanReed

Opinion of Atty Genl. on remission of Duty on overland freight &c

Mr Stirling presented and read the written opinion of the Atty Genl. on the question of remission of duty on charges for land carriage in invoices of Tea imported, which question was raised by the application of Mr Hollister, read in and referred by the last Council. The opinion is to the effect that, there is no law authorizing such remission of duty, and that it cannot be done without legislative action.

The Min^r of Finance was instructed to reply to Mr Hollister in accordance with above mentioned opinion, and also to publish the opinion.

No subsidy paid for July & Aug. to Steamer.

Mr Stirling states that the subsidy to the "Webb Line of Steamers" was refused for July and Aug. because, July 1st the "Mohongo" connected here with the "Nebraska", and took neither freight or passengers hence; and Aug 29th the "Olympia" connected with the "Nebraska", and took passengers only, refusing to take freight.

Resolved. That the action of the Minister of Finance in refusing payment of subsidy in the above named instances is approved of.

On subject of cancellation of Contract with Steamship Co.

Mr Hall said he had notified the Agents of the Web Line (Messrs A Hackfeld & Co) of the action of the Board regarding cancellation of Contract &c, and that the Agents requested time to communicate with their Principals.

Act to Mitigate.

Mr Hall said he was strongly urged by some parties to enforce the "Act to Mitigate", and others were of opinion that the law was so imperfect and so difficult of proper execution that it did more harm than good when attempted to be enforced; that it was expensive, and there was no special appropriation for it. He was much in doubt as to what to do.

Messrs Stirling, Judd and Bishop, thought that although the law is imperfect, and the execution has been faulty, that as it was intended to mitigate a disease that was destroying the health and lives of many of the people, and which is the foundation or predisposing cause of that awful disease, the leprosy, and as it has heretofore been contended by Physicians and others that the law, even imperfectly executed, had done some good in lessening disease and controlling bad women, it should be enforced again.

It being understood that the Appr. for the general purposes of the B. of Health has been used for part of expenses in carrying out the Act in question it was

Resolved, That if the Board of Health find it practicable to put in force the "Act to Mitigate" and that there are funds appropriated sufficient for that purpose, the law should be enforced.

Adjourned.

Chas R Bishop
Secy pro tem.

March 14th 1873

Cabinet met at Waimanalo at 11 o'clk A.M.
Present His Majesty
The Ministers of the Interior, Finance and Foreign Affairs and the Atty Genl.

The Minutes of the last meeting were read, slightly altered and approved.

Accounts of Govt. Press, made up by J. O Carter

Mr Hall says the affairs of the Govt Press have been examined by Mr J. O. Carter at his request and his report shows a very unsatisfactory state of things; that the accounts have been very badly kept and often not kept at all so that it was impossible to say ~~that~~ who had paid, - especially for the Au Oiwa, that between $6000 & $7000 of the Appn ($12000) has been expended, and the monthly expenses for labor are $200 per week; that the debts against the office amount to $4461.76 a part of which has been standing on interest since 1870 & 1871. and the debts due the office amount to $7420.11 but it is doubtful if enough can be collected to pay the $4461.76; that having advertised for tenders for lease of the Office, premises &c he had received ~~papers~~ proposals from Black & Auld and H. M. Whitney, but as the former had proposed in so indefinite a manner, and would not promise to keep up the newspaper either in English or Hawaiian, he could not consider it; that Mr Whitney had offered to take the rooms, presses &c for five years and publish the Gazette weekly, and merge the Au Oiwa in the Ka Oiwa, and add the name, and publish it weekly; that he (Whitney) had offered to do such advertising and job work as the Govt might want, and set apart a part of his Paper for the use of the Govt on liberal terms, leaving the "book work" and printing for the Legislature unplayed, and he had prepared a memorandum from which to make a lease, which he read. After some general discussion it was resolved that the Minr of the Interior be authorized to make a lease with Mr Whitney for a term of three, four or five years on best terms obtainable, on bases of his memorandum, and if the lease should be for four or five years to provide if possible that either party may terminate the lease by giving at least three months notice previous to the end of a Vol. of the Gazette, but not to terminate before the end of Vol 11 (eleven)

Tenders of Black & Auld and H. M. Whitney.

Appn of Hon Eyey R Keelikolani for Lot at Kailua

Mr Hall presented application from Hon Eyey R Keelikolani for a lot about one acre with old stone building upon it, near old Fort at Kailua Hawaii, value estimated by H. N. Greenwell @ $200.
It having been stated that the place applied for is the best boat landing at Kailua in some courses of the wind, the matter was deferred for the present.

Appn for land by Palanalelo & Mr Hamlin in Kona

Mr Hall said there was a Patent in the Int Dept to Palanalelo, of some six years standing, and unpaid for, for 19 Acres of land for $40. within the land Kauleolii applied for by Mr Hamlin (see page 357.); that Palanalelo claimed to have pd Gov. to the Int Agent some years ago, and $15 for surveying, but had no receipt to show for it, and that he (Mr Hall) had given him notice that if he did not pay the $40 for Patent, even the sale to him would be cancelled. Approved of

Appn of Kaipo for land in Kona

The Minr of the Interior presented application from Kaipo for 100 acres of land in Kahanaiki, Kona. Action deferred until the whole land shall have been surveyed.

Appn of C Kanaina for land

The Minr of Int presented application of Hon C Kanaina for a piece of land, about one acre in Kaluaholo, Waikiki, to which land it was thought that Mr Kanaina supposed a valuable fishing right to attach. And as no exclusive fishing rights in the sea can be sold with any Government land, no action was taken on the application.

Appn of L McCully for Land at Waikiki

Mr Hall also presented application of Lawrence McCully for purchase of about 118. acres of land at Waikiki being that part of Parcel included in Lease No 56. to run till July 1878 at a yearly rental of $80. for which he offers $800. and it was resolved that the Minister of the Interior is directed to sell the said land subject to said lease, by auction, fixing an upset price of $800 upon it, and to sell at same time the small piece mentioned above as having been applied for by Mr Kanaina without limit.

H. M's signing Pat. to himself

The Atty. Genl. was granted further time in which to report upon the subject of His Majesty's signing Patents for Land to himself.

Sentence of Andreas Camacho Commuted to 15 years imprisonment

On consideration of the recommendation of the Justices of the Supreme Court, and in pursuance thereof, His Majesty commutes the sentence of Andreas Camacho to imprisonment at hard labor for fifteen years from the first day of February AD 1875. instead of twenty years, as recorded at meeting of Cabinet 7th inst. Liffgr 356.

Insurance on Hawaiian Hotel.

Mr Stirling said it would be prudent to have insurance on the Hawaiian Hotel property, against loss by fire, for $42,000 @ $50,000. the former sum being the amt of Hotel Bonds issued, but there was no appropriation or fund out of which he was authorized to pay the premium, which would be about two per Cent. per annum in advance. It was discussed, and unanimously admitted to be desirable to have insurance for $42,000. and that it could only be done by the Minister of Finance taking the responsibility of paying for it and going to the Leg. Assembly for indemnity

Adjourned

C R Bishop Hon Secy
of the Cabinet

April 8th 1873.

Cabinet met at Hainweiper at 11 O'clock AM
Present. His Majesty the King, the Ministers of the Interior, of Finance and of For. Affairs, and the Atty Genl.

The minutes of the last Cabinet Council, held Mch 14th were read and confirmed.

Appn of W. T. Allen for Land in Kohala

Mr Hall (Minr of Int.) presented application of W T Allen Esqr. for lease of the mauka part of land Makalea 1 & 2 and Pohakulua (in Kohala), and letter from the Govt Land Agent, Mr Miller, stating that $50 per annum would be a fair rental for the lands applied for, and that those parties who had had the use of them should be required to pay two years back rent.

Mr Sterling moved that the Minr of the Interior be directed to lease said lands at not less than $50 per annum, to Messrs Allen & Hillingworth, or jointly to them and the Kohala Ranch, at his discretion. So ordered

Appn of Jno P. Parker

Mr Hall, presented application from John P Parker for purchase of land called Kamoku, containing 1020 Acres, and for which he holds a lease to expire on the 1st of next June, & under which he has paid $40 pa annum. No price named. Defered for the present, until better informed, and an offer is made.

The Minr of Interior said he was applied to by R A Lyman Esqr. for instructions relating to sale or lease of Govt Lands to natives.

Mr Bishop said he was opposed to allowing the Agents to sell the Govt lands until they shall have been surveyed - the sales that have been made heretofore of small pieces having cut large lands into shreds, taking out the best portions at low prices, and leaving the remainder almost worthless.

Instructions to Land Agents

It was resolved that the Agent in Hilo (R A Lyman) and in Kona (Mr Greenwell) be not authorized to sell, without special instructions from the Minr of the Interior, but to lease for terms not exceeding ten years, lands not exceeding one hundred acres in Area.

Patents for Lands, am. called for

The Minr of the Interior said there were in his Department a large number - perhaps one hundred, of Patents made out for lands sold, mostly to natives

unpaid and uncalled for, many of which had been there a number of years and had been advertised.

Advertise Patents now in Interior Department

He was directed to advertise them again, and state in the notice that unless they were paid for within a limited time - say three months - the lands would be for sale to other parties.

Act for Sinking Fund sale lands

The Atty Genl. called attention to the Act providing for a Sinking Fund from proceeds of lands sold, but as the Govt is still a borrower of money at 9% interest per annum no further action upon the subject was considered necessary.

W A Aldrich's Appn for premises on Fort Street.

The Minister of the Interior presented an Application from Wm A Aldrich, by his Atty, C R Bishop for a Royal Patent for the Aldrich House lot on Fort Street offering three hundred dollars for the same. The lot was originally leased by the Government for one hundred years, rent paid in advance and has fifty eight years from Feby 27 1873, to run.

Granted

Mr Sterling moved that the offer of $310 be accepted and the Patent applied for granted. It was so ordered.

Appn of H. N. Greenwell for land in Kona

The Minr of the Interior also presented an application from H. N. Greenwell to purchase for seven hundred and fifty dollars, one thousand acres of land in South Kona Hawaii. Bounded as follows: South by Onouli, North by Halekii; East by unpurchased lands of the Govt and West by the mauka boundaries of the Ahupuaas of Keekee, Honokau, & Kalukalu belonging to applicant.

On motion of Mr Bishop, action on the application of Mr Greenwell was deferred until the land applied for shall have been surveyed.

Petition of Capt Meek & D. Smith

Petition of Capt Jno. Meek and Danl Smith to His Majesty, relating to the pay of the Harbor Master for services as Wharfinger &c, was read by Mr Hall, and he was ordered to reply to the petitioners that there was no existing law authorizing any increase of their pay.

Capt Bonelli's proposition. Schr "Dauntless"

The Minr of the Interior read a communication from Capt William Bonelli offering to add steam machinery and a propeller to his Schooner the "Dauntless", and to put her on the route between Honolulu and ports of Kauai, provided the

Government would pay him a sufficient subsidy for carrying the mails, say $5000 per annum.

It being the opinion of the Cabinet that the Kilauea is furnishing all necessary facilities by steam for the present - all at least, that the Government can afford to pay for. Mr. Hall was instructed to respectfully decline Capt. Benulls proposition.

Gate across the road in Kodanlua

A petition from residents of Kodanlua, praying for permission to erect a gate across the highway between Hamula and Makaa in that district, was read by the Minr of the Interior

Mr Bishop moved that the petitioners be permitted to erect such a gate as the Road Supervisor shall approve of, with the understanding that it is to be removed whenever the Minister of the Interior or the Road Supervisor shall so order. Approved, and His Majesty ordered accordingly

Appn for free water for Catholic Cemetery.

The Minister of the Interior read an application for water from the Gov. Pipes for the Catholic Cemetery on King Street, free, and also read a list of those places at which the water is furnished free, which did not include any Cemetery. The Appn was declined.

Hotel Insured.

The Minr of Finance, (Mr Stirling) said he had procured insurance upon the Hawaiian Hotel building for $34.000 and upon the Furniture therein $8.000, and paid for the same for one year in advance, at the rate of two per cent. (2%)

Dr Hutchison's letter to Van Reed on Immigration.

Dr Dakong's resignation. Japan.

The Minr of Foreign Affairs (Mr Bishop) read Dr Hutchisons letter of Novr 5th 1872 to the late E M Van Reed. His Majs Consul Genl in Japan, on the subject of emigration of Japanese to these Islands; letter of His Excy C. E. Dakong, Minister Envy. Ex. & Min. Plen. of the United States in Japan, of Jany 1873 upon the same subject, and tendering his resignation as His Majesty's Minister Resident near the Court of Japan, and also his (Mr B.s) letter to Mr Dakong, dated Mch 17th

Assault upon Dr. Trousseau by Kimo Kamai

The Atty Genl. (Mr Prot) said the unusual circumstances attending the case of Kimo Kamai charged with Assault on Dr Trousseau, under Chap. IX Sec 5 of Penal Code at the Leper Hospital in Kalihi, had induced him to ask for instructions from the Cabinet.

The subject having been discussed informally, and it being understood that there was some doubt about Kamai's being a leper; and it being agreed that to neglect to prosecute, and, if convicted, to punish for so grave an offence, would establish a dangerous precedent; it was

Resolved, That the Attorney Genl is instructed to prosecute as usual, in the case of Kamai.

Mr Bishop remarked that Kamai being suspected of having leprosy, can, if convicted, and sentenced to imprisonment, be confined by himself and treated by the Physician. If he recovers, he will be treated like any other convict, and if he should prove to be a confirmed case of leprosy His Majesty can, if he pleases, grant him a pardon upon his going to the Leper Settlement on Molokai to remain. This opinion was concurred in by His Majesty, and the other members of the Cabinet

Cabinet adjourned

Chas R Bishop

Secretary of Cabinet

Cabinet met at Haimoeiku, Apl. 16th, at 3 o'clock P.M.

Present, His Majesty, Hasan the Ministers of Interior, Finance and For. Affairs, and the Atty. Genl.

The minutes of the Council of 8th inst. were read and confirmed.

Appn of J P Parker for 1020 Acres in Kamoku

The Min. of Interior presented again the application of John P Parker for 1020 Acres of Kamoku, for which he offers one dollar per acre.

Mr. Judd moved that action upon this application be deferred, until the whole of Kamoku shall have been surveyed. Agreed to, and so ordered.

Appn of Pumihaole for lands in Kona Hawaii

The Minister of the Interior presented application from J. W. Pumihaole to purchase the remainder of the lands Ooma 1 & 2, and of Kalaoa in Kona, Hawaii, offering twelve and a half cents per acre; and also read the letter of the Gvt. Agent, Mr. H. N. Greenwell, relating to these lands.

Kaakau to have refusal of land.

Mr Bishop moved that Mr Greenwell be directed to give Kaakau (a former purchaser of part of the land) the refusal of the remainder of Kalaoa, at a reasonable price; and that he be authorized to sell by auction the remainder of Kalaoa, and of Ooma, making the upset price on that part of Ooma near the road, say about 100 Acres, fifty cents per acre and on that part of Ooma and Kalaoa near the sea twelve and a half cents per acre. This was agreed to and so ordered.

Appn of JW Kuakamanna for 300 Acres in N. Kona

The Min. of the Interior also presented an application from J. W. Kuakamanna to purchase 300 Acres of Nonnaula in N Kona, Hawaii, and offering fifty cents per Acre; and read Mr Greenwell's letter, saying that the three hundred acres applied for are worth at least $500.

Further action on this application was deferred until fuller information as to the

effect upon the whole land, that would result from sale of the part applied for.

Cabinet adjourned
Chas. R. Bishop
Hon'l Secy

Cabinet met at the Foreign Office May 10th 1873 at 11 O'clock A.M.

Present His Majesty, and the Ministers of the Interior, Finance and Foreign Affairs.

The record of the last council (Apl 16) was read and confirmed.

Appn of J. Joaquim for land in Lanpahoehoe

The Minister of the Interior, presented application of J. Joaquim to purchase the land called "Puailea at Lanpahoehoe, Hawaii, which he estimates at 400 @ 600 Acres, and refers to R. Lyman Esq. Offers $1. per Acre for the land, Mr Lyman writes that he does not know the extent of the land; that some of it would be good for sugar cane; that a part is wood land, etc and that a Mr Simmons wants four or five acres of the land at $5 per Acre.

After some discussion, further action upon the application was deferred until the whole land shall have been surveyed.

Surveyors to report upon character of lands surveyed

It was suggested that surveyors should be required to report upon the character, situation and capabilities of the lands which they survey; and also that applicants to purchase Gov't lands should state the purpose for which they want the lands applied for.

H. N. Greenwell 1000 Acres.

The Min.r of Int.r presented application of H. N. Greenwell for purchase of one thousand Acres of forest land in N. Kona, Hawaii, nearly a square block of land cutting out a part of the lands Kalukalu, Kanakau, Slikahi and Keeke, above the land now owned by him, but yet, not going to the upper limit of the lands applied for. He offers seventy five cents per Acre.

Mr Bishop said he was opposed to selling selected tracts of land, calling Ahupuaas ~~and~~ or

Opposed to selling small pieces of best lands

This is too, leaving the poorer parts on the lands of the Govt, to be sold afterwards for a trifle; and that there was great risk in selling lands with which we are not well acquainted, privately, upon the application of a party, wanting it for himself; that lands had at times been sold too low, and in such a way as to damage the value of the adjoining lands. Further action was deferred for fuller information, and until a different application shall have been made.

Kuakamanai's appn for lands in Kona

The Minr of Interior presented the application of Kuakamanai for the land Komaula in N Kona, ~~for which he~~ and it was resolved. That the Land Agent, Mr Greenwell, be instructed to inform him that he can have that part of said land, which was intended to be sold to the late Govr G. L. Kapeau, at $1.00 per acre, and for which a Royal Patent was made out May 14th 1855, containing, an area of 585 Acres, at the same price. viz, one dollar per acre.

Puniawa & Awa want to lease lands in Hilo

The Minr of Interior read a letter from the Govt Land Agent in Hilo. R. A. Lyman Esq. stating that two men, Puniawa and Awa wish to lease for five years the following lands: the whole of Hookumahoe and Komano, and the unsold parts of Kiholani and Paapalua, for which they offer thirty dollars per annum. It was moved that Mr Lyman be instructed to ascertain the use that the applicants intend to make of the lands applied for and that he be authorized to lease said lands for five years at a reasonable rental, not less than fifty dollars per annum. It was so ordered.

S. L. Austin wants to buy remnants of lands in Hilo

The Minr of Int. also presented application of S. L. Austin, for purchase of "two remnants of Govt lands", parts of Kahalii and Alakahi, for which he offers the sum of Seventy five dollars, and refers to R. A. Lyman Esq, who knows the lands.

Mr Bishop moved that Mr Austins letter be sent to Mr Leyman, and that the latter be requested to report thereon. It was so ordered.

The Council adjourned

Chas R. Bishop

Acting as Secy

Cabinet met at the Foreign Office at 11 o'clock A.M.
May 13th 1873

Present, His Majesty the King, the Chief Justice (Act'g) and the Ministers of Interior, Finance and For. Affairs.

His Majesty said he had called the Cabinet together to consider the Petitions addressed to him upon the subject of Reciprocity with the United States, and to discuss that question, though without expecting to come to any final decision at this time.

Discussion of Petitions for Reciprocity

Mr Bishop, said considerable time had elapsed since the petitions referred to had been presented, and he thought it due to the petitioners that they should know that some attention had been given to their petitions. He also thought it would be well to discuss in the Cabinet while the Chief Justice could be present, the main points of the subject of reciprocity, including the "scheme" as it was called, of ceding "Pearl River", and as the Chief Justice had given notice that it was his purpose to leave soon for the United States, there was not much time to spare; that the Attorney Gen'l, now absent, might be away for several weeks and had, previous to leaving, expressed himself as in favor of such discussion without delay, and without waiting for his return; that it was generally admitted that a reciprocity treaty with the United States was very desirable for this country, and that to attempt to make such a treaty on the same terms as that negotiated at San Francisco in 1867, would be a waste of time and effort; that while the market for our principal exports - sugar, wool and rice, was not improving, the supply of labor in this country was steadily diminishing, and the cost as constantly increasing; that the procuring of laborers from Japan was very doubtful, it not being the policy of the authorities of that Empire to encourage the emigration of the common classes; that in China and Japan the value of labor had advanced in late years and the difficulties and expenses of getting people from China had largely increased, that the experiment of getting

laborers or population from the islands of the Pacific had been tried, and might be said to have failed, that under the circumstances, the only remedy seemed to be in getting relief from the heavy duties on our products sent to our nearest and largest market the U. S.- so that planters and others employing labor could afford to pay higher wages, and yet increase their profits while benefitting the market-men; that taking it for granted that reciprocity 'pure and simple' was out of the question, what could we offer, in addition to that which had been offered, that would help in securing that which we so much wanted. The leasing and ceding of "Pearl River" and some adjacent territory, had been freely talked and written about; that the first impression upon his mind when cession of territory was suggested, was of strong repugnance, and was not only disagreeable but seemed of doubtful advantage; but after taking all things into account, he had arrived at the opinion that it would be possible to make such a treaty, as, if accepted by the U S. would not only improve our industrial interests but, add also to our national and political security; that great care would need to be exercised in making such a treaty, to guard Hawaiian independence and domestic interests; that under it there there would be less danger of encroachment or violence than there would be without it; that we were always at the mercy, (so to speak) or dependent upon the sense of justice of the Great Powers of the world, and that a special treaty with the U S would secure protection to a certain extent, while it would not really create a protectorate; that our only hope for prosperity, now appeared to be in better prices for our chief products, or a supply of cheaper labor or through the advantages of reciprocity with the U. S. and he could see no probability of relief by either of the first two sources

The minister then exhibited the map on which was marked out the land that it was said (by Gen. Schofield) the U.S would probably require of a treaty new to be made.

Continued on page 375.

Cabinet met at Iolani Palace, at 1 o'clock of May 26th 1873

Present, His Majesty the King, all of his Ministers and the Attorney General.

Treaty with Austria

The Minister for Foreign Affairs laid before the Cabinet a Draft of a Treaty to be submitted to the Austro Hungarian Government as a basis for a Treaty of friendship, commerce and navigation to be negotiated at London ~~between~~ by the Ambassador or other Representative of the Austro Hungarian Government and Manley Hopkins Esq. His Majesty's Chargé d'Affaires and Consul General at London; also his letter to the Minister of Foreign Affairs at Vienna notifying him of the authority given to Mr. Hopkins; the document addressed to Mr Hopkins under the name of His Majesty and the Seal of the Department giving him full power to negotiate the Treaty above mentioned, and the letter of instructions to accompany the same.

Mr Hopkins to negotiate at London

The power for Mr Hopkins, and the several letters above mentioned, were approved of; and the draft of Treaty was submitted to the members of the Council for examination.

Appn of J P Parker for land Kamoku

The Minister of the Interior presented an application from John P. Parker for purchase of land in Hamakua called Kamoku, containing by survey 1312 Acres, and offering for same one dollar per acre.

Sell Govt Lands by auction

Mr Bishop said it ought to be the rule with the Government, to be varied from only for strong reasons, to sell Government Lands by auction; and he moved that the land above mentioned be offered at Auction at Honolulu at an upset price of one dollar per acre.

The motion was adopted unanimously.

The Atty Genl. reported verbally upon the question referred to him March 4th 1873. regarding the signing by the King of Patents to himself, for Lots of land belonging to him (the King) as follows: "I have conferred with the Chief Justice upon the matter submitted to me, and after due examination and consideration we have come to the conclusion that it would be legal and proper for His Majesty to sign the Patents mentioned in Cabinet Council March 4th."

Can the King sign Patents issued to himself

The Cabinet adjourned.

C R Bishop
Acting Secretary.

Continued from page 373

The Minister of the Interior, Mr Hall, said Mr Bishop had very nearly expressed his views; that if a treaty could be made ~~coby~~, which we could obtain reciprocity with the U S, through the cession of Pearl River, under proper conditions, he thought it would be for the interest of the people of this country to make it, and he thought it would be our duty to make it; that the planters were feeling very much ~~depres~~ discouraged, and some of them would probably have to give up unless they could get relief; that business generally was dull and without any apparent prospect of improvement; that the whaling business having fallen off to so large a degree without ~~any~~ probability of any considerable revival again, the prosperity and revenue of the country were almost entirely dependant upon agriculture, and that no branch of agriculture except sugar-planting appeared to have much chance of success.

Reciprocity.

The Minister of Finance (Mr Stirling) said he had not expected to discuss at this time this important question; that he was in favor of a reciprocity treaty with the U.S. and thought there was a fair basis for such a treaty, without the cession of any territory; that he was opposed to any such cession, because

he thought it would bring us into trouble, not only with the party ceded to, but also with the other powers with whom we have treaties; that it would be giving the United States a great advantage over all others, and would, in fact, be a violation of our neutrality; that the planting interest was not so badly off as was represented by some, the difficulty being only a temporary one, which would probably be relieved by an improvement in the sugar market; that the U.S. would require a large area for defense &c, and there would be endless difficulties on the borders; and that if the territory to be parted with were an island, separate from the others by a considerable channel, it would be quite different, but to part with a piece cut of the center of an island would be ruinous.

Reciprocity

The Chief Justice, Allen, said the difficulties and losses of the sugar planters were not temporary, but the business, taken as a whole, has been a losing business for a number of years past, although the prices for sugars had averaged higher than they were likely to again; that considering all the efforts that had been - commencing some eighteen years ago - for reciprocity with the United States, he thought it would be a waste of time, labor and money to try it again unless we were prepared to offer something new; that Pearl River harbor was now useless to this country, and likely to remain so in its hands, because of lack of means to improve it, and probably, it would not pay us to improve it even if we had the means; that if by parting with it to the U.S. under a treaty guarding our rights, we could secure a reciprocity treaty which would be a great boon to this country, it would be eminently wise and proper to make such a treaty; that he thought the Minister of Finance mistaken in his opinion about the legal effect of such action by this government; that being an independent Govt. it had a perfect right to make a treaty to secure its own good, by ceding, if necessary, a part of its Territory; and that no

condition of any of its treaties would be violated by so doing.

The Minister of Foreign Affairs instanced the cessions of Nice, Alsace, Alaska, Hong Kong etc, and remarked that there had been much shifting of boundaries in Europe in time past, for one reason or another; and that having the matter in our own hands, much can be guarded against in the treaty that could not be reserved or secured under present.

The Minister of the Interior was charged with making it known to the petitioners that their petitions had been considered.

His Majesty said this meeting would be considered in the light of a conference, and as it would be necessary to discuss the subject of reciprocity further no vote would be taken at present.

Cabinet adjourned.

C R Bishop.
Acting as Secretary

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Cabinet met at the Foreign Office June 9th at 12 O'clock.

Present. His Majesty, the Chief Justice, the Ministers of Interior, Finance and Foreign Affairs, and the Attorney General.

The Minutes of the Cabinet held May 26th, were read and approved.

The Minister of Foreign Affairs said the draft of the Treaty with Austria had been placed in the hands of the Legal Members of the Cabinet, who had examined it and returned it, suggesting, but one slight verbal alteration - that the said draft and the letters &c relating to it had been forwarded by the "Costa Rica".

The Minister of Foreign Affairs presented the letter of Mr. Pierce United States Minister Resident dated June 3d inst., in which Mr Pierce refers to a letter from the Honorable Hamilton Fish, Secretary of State of the United States, dated March last; and quotes from the same as follows: "How far the equivalent of a cession of Pearl "Bay would operate a change of opinion on "the subject. [Reciprocity] it is unsafe to "predict. A proposition to that effect, "when regularly made, will receive due con- "sideration". Mr Pierce adds, that in a letter from same source dated April 11th, acknowledging the receipt of his letter with copy of the Minister of Foreign Affairs letter to him of February 26th, he was only referred to the letter of 25th March, and Mr Pierce expresses the opinion both in his letter and verbally, that the United States Government would take no preliminary measures for the negotiation of a treaty, until a proposition of a basis for a treaty shall have been made by His Majesty's Government. Mr Bishop said, that about six weeks ago, Mr Pierce read to him the larger part of the letter

Reciprocity

letter of 25th March, and about same date, read it. He had understood - to Chief Justice Allen also. At that time Mr Peirce said, that letter was written by Secretary Fish before he had received his letter enclosing copies of the correspondence with him (Mr Bishop) on the subject of reciprocity, and that he (Mr P) expected another letter relating to that correspondence, by the next mail; that after Mr Peirce received the Secretary's letter of April 11, he told him that he suspected the absence of the President of the United States from Washington accounts for the Secretary's silence, and at the same time, gave it as his opinion, as he had done before, that the United States Government would expect a distinct proposition or offer from His Majesty's Government; that after the last mail arrived he had another conversation with the United States Minister Resident, who informed him that he had nothing further from his Government, and that he was confirmed in his opinion that until the Hawaiian Government should make a proposition, stating what they wanted and what they were willing to do, the United States Government would not do any thing more. In view of these facts and considering that time was passing without our having come to any result, and that the Chief Justice and Attorney General were to be absent about two weeks, he thought it important to come to some conclusion as to what steps were to be taken. The United States Government have many important matters to attend to, and whether they have a Reciprocity Treaty with us or not, matters but little to them, for they are drawing a large revenue in duties on our products, while to us, it is very important. He had hoped for a different reply to the overtures

Reciprocity

that

that had been made, and something more encouraging, but if His Majesty's Government have not to make an offer or do something more to initiate negotiations, the sooner it was done, or the whole matter dropped, the better.

The Minister of Interior offered the following Resolution

"In view of the fact that
" urgent petitions for a Reciprocity Treaty
" with the United States have been presented
" to His Majesty's Government, by almost
" the entire planting and commercial inter-
" -ests of the Kingdom, and from the
" further fact that any steps toward this
" end must be initiated here.

" Resolved, that His Excellency
" the Minister of Foreign Affairs, be
" hereby instructed to open negotiations
" with the Minister Resident of the United
" States, for the accomplishment of this
" purpose; and that he be authorized
" to offer a cession of Pearl River Har-
" -bor to the United States, as one of
" the considerations for such a Treaty".

Reciprocity.

The Attorney General - said he would like to amend the resolution, to "direct the Minister of Foreign Affairs to prepare a draft of a treaty to be laid before the Cabinet". It seemed to him that in that way we would sooner come to an understanding as to what we would be willing to offer, and would not be committed to something that we could not accept.

The Chief Justice - Favored the Resolution as offered by Mr Hall, said, that what we could do, would be sooner ascertained by dis-
-cussion between the Minister of Foreign Affairs and the Minister Resident, than in the other way, and that neither Government

would

would be bound by what might be done, until it should have been formally accepted; that we proposed dealing with a friendly nation, which would take no advantage.

Minister of Finance. Was sorry to say that he could not conscientiously favor either resolution or amendment, to advise the cession of any portion of territory. If it were an outlying island that was proposed to cede it would be different. In discussions of this subject, the cession of Nice and Savoy to France, of Alsace and Lorraine to Germany, of Alaska to the United States, of Hong Kong to England he had been mentioned, but he could see no analogy in either of these instances to that now proposed. The territory that would be wanted would contain an area of one hundred and twenty square miles at the least, making a long boundary line, upon which difficulties would frequently arise, and that though the United States are friendly to Hawaii now, they might not always remain so; that nothing could be settled about this matter until the Legislature should have agreed to it, and therefore, the question should first be settled there. That the condition of affairs had been painted in colors too black to represent the truth; that the present depression in business was the result of a short crop last year; and my low prices this year, a combination of unfavorable circumstances not likely to occur again; that the tendency in the United States as elsewhere is towards lower duties, and in a few years the duties on sugars might be so low that reciprocity, for which we would have parted with territory, least recovery, would be of no advantage; that he regarded the proposed measure

Reciprocity

as

as class legislation, to which he felt opposed.

Chief Justice. It is true that the Legislature will have to pass the laws necessary to enforce the treaty, but the Cabinet must take the responsibility of making the treaty. To make such a treaty as should put the Sugar growing interest on a firmer basis cannot be properly called Class legislation in this country, where all other industries and all other prosperity was so dependent upon the success of that one branch. Take out the Sugar Export, and where was the revenue to come from? Where would the navigation and mechanical interests be? There has been no real prosperity here for several years past. Was Pearl River of great value to us? Was it too much to give for what we hope to get.? The United States are already our neighbours, and have thus far been good neighbours, and would we be less safe with Pearl River in their hands than we are now? Which was most desirable, Pearl River in the hands of the United States and opened, and prosperity, or Pearl River in our hands closed and comparative poverty? General Grant will be cautious about making any advances, and we would probably have to move first.

And addressing the King, he said, As Your Majesty's adviser, identified with this country during a quarter of a century, and taking into consideration all of the circumstances, I give you my advice strongly, Sire, to make a treaty upon the basis proposed".

Reciprocity.

Minister of Interior. – Thought we all felt very much alike upon this subject, and that he sympathised somewhat with the Minister of Finance.. that the

the idea of cession of territory was to him at first repugnant, but he had got past that - the necessities of the case had helped him to overcome that feeling. The petitioners for reciprocity represented very largely the principal industrial and business interests of this country; the object to be accomplished was of great importance to the country; there was no hope of obtaining what we want without including some thing new in our offer to the United States: he did not consider it class legislation; all branches of trade and business depend upon the success of the Sugar interest; they are all bound together; the advantages of their success are distributed throughout the entire community, and their failure would be a serious detriment to all.

If the United States ask too much, we must decline; but it is our duty to make a decided effort to ascertain what can be done, and to do what seems to be best. Business now, and the prospects for the future, are poor and discouraging.

Reciprocity

Minister of Finance. Did not agree with the Chief Justice and the Minister of the Interior in their views of our situation - Reciprocity will give only a temporary relief, of no great value at the best, the prospective good is infinitesimal and problematical; Cession of territory was not a matter of sentiment, though in some cases that was a strong motive; nor in this case had nationality any influence with him; he could see nothing in it but trouble and disaster. One planter largely interested, had said to him that if our agricultural interests could not stand upon their own basis under present

conditions

conditions, they might as well go to the wall sooner, as later; No doubt some who lack capital, Experience, or other advantage would fail; but somebody else would carry on the business; there are just so many mouths to feed, and backs to clothe! and they would have to work to get what they required.

Chief Justice - Was surprised at the views expressed by the Minister of Finance - In the parts of the United States we paid from 1/3 to 1/2 the value of our sugars in duties; Was that infinitesimal?
These who had to pay it and take the risks of the business did not so regard it.
Reciprocity would be a great boon to this country, and had so been considered during Eighteen years past, and for that reason had been sought for earnestly but unsuccessfully. It might be that we were not going to utter ruin, even without reciprocity, tho' we had already reached the "hard pan" - Possibly some of the plantations would continue to work along. As proof of our lack of Prosperity he could say that plantation Property could not be sold for anything like its cost -
He was satisfied that reciprocity with the United States would be of great advantage to this country, and therefore unhesitatingly advised the cession of Pearl Rock; Which is now of no value; if by so doing a treaty could be secured.

Reciprocity.

The Minister of Foreign Affairs - Said the opponents of reciprocity had always pointed to the large sacrifice of duties that the United States would make, and to the comparatively small amount that would be thrown off on this side. They

they were right, we would be large gainers by reciprocity - that the sugar interest could afford to make up the whole or nearly all of the duties thrown off here, and still be the gainers by a large margin; that by reciprocity, under a proper treaty, our security as an independent nation would not be diminished, but rather promoted, and that there would really be less danger of encroachment with than without such a treaty; that to wait for legislative action first, would make very great delay, and perhaps a necessity for an Extra Session which should be avoided if possible on account of Expense and loss of time.

Reciprocity

The Attorney General. said having been born and reared in this country, he had a natural repugnance to the Cession of any of its territory, and if relief to our waning agricultural interests could be had without the cession of Pearl River he would much prefer it; that he had hoped for some advances towards reciprocity with or without cession of territory, from the United States, but as none had been, or seemed likely to be made, it was necessary for us to take the initiative; that those persons who drew their salaries regularly did not feel or perhaps realize the depressed condition of business at this present time, but people in trade complained very much; that from his observation of the planting business, especially of the Sugar plantations in Hilo, he was satisfied that they could not prosper without some relief, and that as he knew of no way of obtaining relief for that interest, on which the general prosperity so largely depended, except

through

though a reciprocal treaty with the United States, he must, though reluctantly, give his voice decidedly in favor of such a treaty, including the cession of Pearl River!

The Minister of Foreign Affairs pointed out on the Map of Pearl River and surroundings, what he supposed from conversations with General Schofield and Admiral Pennock would be required by the United States. Said he considered the idea of making a lease of Pearl River to the United States quite impracticable, that that Government would not make the necessary outlay for deepening channels, erection of buildings, works &c on leased land; certainly not, unless the lease were for so long a term and upon such conditions as would be equal to a sale or cession; that they would insist upon having control of the whole lagoon so that there could be no filling up of any part without their consent, of a considerable piece of land (several hundred acres) on either side of the entrance, on which to erect fortifications; the island called Rabbit Island (belonging to one of Dr Ford's children) a part or all of the Manana peninsula and a patch in other piece of land for a reservoir to collect water to supply the wants on Rabbit Island, all of which would be entirely under their control. also the heights around the lagoon, on which to fortify for the protection of the shipping and works, in or and around Pearl River. That he had not and did not favor ceding or parting with the jurisdiction of this last named territory, but might be willing to allow the United States to fortify the heights within prescribed limits.

Reciprocity.

temporarily

temporarily, whenever and only while that country might be at war with a country having a Navy, all damages to be paid for to the owners of the property; that one of the conditions of treaty might perhaps be, that whenever the United States Tariff on Sugars should be reduced to or below a certain low rate, this Government would again be at liberty to levy duties on any of the products of that country, and that he hoped it would be possible to arrange satisfactorily by treaty for the protection of the Codfishing and fishing interests, the collection of duties, return of Criminals, Runaways &c &c.

The Attorney General withdrew his amendment, and said he would support the Resolution offered by the Minister of the Interior.

Reciprocity.

The Minister of Foreign Affairs. Was confident that the United States Minister Resident had no special authority to make a treaty; that any agreement of that character would be informal, subject to approval by the authorities of the United States on one part, and by His Majesty and the Legislative Assembly on the other part. He inquired if either of the Council thought it likely that the United States would make any outlines for a treaty, or that there would be any advantage in waiting longer with that expectation. It was generally admitted by the Cabinet that there was probably no such purpose, and that the sooner it was determined whether an acceptable treaty could be made or not, the better.

The Chief Justice. Remarked that if an effort were made and failed, the Community would

would be satisfied, and accept the situation.

The Minister of Foreign Affairs said to the King, It now rests with Your Majesty to say what shall be done. He replied that the opinion of the Council was in favor of the Resolution.

The Minister of Finance - requested that his name might be put on the Record, as opposed to the Resolution, and the request was assented to.

The Minister of Foreign Affairs, addressing the King said, Your Majesty, am I to consider the Resolution as my instructions, and to act accordingly? - His Majesty answered in the affirmative.

Appn of W. J. Martin for Lands in Kau.

The Minister of Interior presented an application from W. J. Martin for lease of remainder of Kau lands in Kau, Hawaii - to wit. Kaalaiki, Hokukano, Kiolakaa, and Nukakaia, offering $70 per annum, also letter from Revd Kauhane, saying that these lands are now leased to Kalines who pay in all $100 per annum, and who would be inconvenienced by a lease to any one person.

Mr Martin's application was declined

Appn of Mr Ricards for land in Hamakua.

The Minister of Interior also presented application from Mr Ricards for purchase of forty to fifty acres of Government land Kaaline in Hamakua, Hawaii, and offering $1.00 per acre for it; and letter from the Agent Mr Wilkse, advising a sale at $2 per acre - Mr Wilkse's recommendation was approved of.

The Minister of Interior, said he would as

Sale of the Agricultural Garden

as requested, make the inquiry - "does the Government want to sell the premises known as the Agricultural Garden in Honolulu, and if so, for what price?".

He was instructed to reply. that the Government does not want to sell that property.

C. C. Harris' resignation of Trusteeship of Oahu College

The Minister of Interior - read letter from Hon: C. C. Harris tendering his resignation of trusteeship of Oahu College, to which he had been nominated by the late King.

The Minister of Foreign Affairs thought the resignation should be addressed to the Board of Trustees of the College, and if accepted, the vacancy could be filled.

The Letter was withdrawn.

Appn of W. M. Gibson for Lands on Molokai

The Minister of Interior - presented application from W. M. Gibson for lease of several (5) lands on the Island of Lanai, (which lands he said had been promised him by the late King when he was Prince and Minister of Interior, and the promise had not been fulfilled).

The Minister also read a letter from Governor Nakaleleua, land Agent, giving some reasons why the lands had not been leased to Mr Gibson, the principal one being that it was considered detrimental to the interests and welfare of the natives on the lands, and also stating that the lands - the principal ones at least - are already leased to Natives.

The Minister was instructed to reply to Mr Gibson, that some of the lands applied for are now under lease.

Minister of Foreign Affairs, said, judging from the copy of the letter from the Interior Department, Prince Kamehameha did not

not premise so much as was claimed by Gibson, that he probably had good reason for withholding a lease, and that this Cabinet was under no obligation to go back to that question, but that as Kealia, Kamao and Pawili are lying between lands belonging to Mr Gibson, and not occupied by Natives, he would move that the Minister of Interior be directed to ascertain what would be a proper rent for these lands, and offer them at that to Mr Gibson. — It was so ordered.

Cabinet adjourned
C R Bishop
Acting as Secretary.

Cabinet met at the Foreign Office July 2 1873 at 11 o'clock A.M.

Present His Majesty, the Chief Justice all of the Ministers and the Attorney General of the Kingdom.

Commissioner of Boundaries for Oahu

The Minr of the Interior said that by the demise of the late Hon. W. P Ramakau, the office of Commissioner of Boundaries for the Island of Oahu, had become vacant, that the applicants for the office were the Hon Col. Kalakaua and Maj C. H. Boyd. that the office was one of importance, in which an acquaintance with taking testimony, and keeping a careful record are desirable, and that he would nominate Mr Lawrence McCully. His Majesty approved of the nomination, and the appointment of Mr McCully was confirmed.

The Chief Justice having arrived, the minutes of the Council of June 9th were read and approved.

The Minr of Foreign Affairs (Mr Bishop) said he had held a conversation with Mr Peirce, the Minr Resident of the United States, and was surprised to find that he he had concluded that, not being specially authorized to negotiate a treaty of reciprocity, however informally, and considering the importance of the subject he would

decline to act; and has advised that he, Mr Bishop, should address him a letter proposing to negotiate a treaty and a cession of Peal River — which would be forwarded to Washington, and would, probably, induce his Govt to authorise him or somebody else to negotiate here. Mr Bishop adds, that he thought Mr Peira was fearful of doing something that might be disapproved of by his Govt and lead to his recall: hence his extreme caution.

The Minr of the Interior (Mr Hall) said he would favor taking the course suggested by the Min. Resident of the United States; that he knew of no reason for changing the policy adopted June 9th, that the circumstances were grave, had been well considered and a course of action resolved upon, which should be energetically carried out.

The Minr of Finance (Mr Stirling) said the Minister of Forn Affairs had not been definitely instructed as to what he should offer in the negotiation, and would propose that the several members of the Cabinet who favored reciprocity and cession, should draw up a memorandum stating what they could each propose.

Respectively

The Atty Genl (Mr Dodd) suggested that the Minr of Forn Affairs should draw up the form of a treaty to be submitted to the Cabinet.

The Chief Justice (Allen) said the method was not material, the United States might require less than we supposed, and that could only be ascertained by negotiation; that if Mr Bishop would write Mr Peira a letter making a proposition in general terms it would lead probably, to an understanding, though it would not be binding. Mr Peira wants more power, and the course suggested would probably lead to his receiving it.

Mr Stirling said the general term "Peal River" was too indefinite, and more might be understood and claimed than was intended to be given.

Mr Bishop states what Mr Perry said he supposed the U S. would require if they made a treaty: which was All of the lagoon, Pearl Island, the Peninsula of Manana with a privilege of fresh water, & extinguishment of all private and exclusive fishing rights, and complete jurisdiction over the lagoon and the surrounding to the heights, making a block some six or seven miles square.

Mr Bishop presented the following Resolution "That the Minister of Foreign Affairs is hereby instructed to address a letter to the Minister Resident of the United States, informing him that he is authorised to negotiate on the part of His Majesty's Government, at Honolulu, a Special Treaty of Reciprocity with the United States, and to include a Cession of the Lagoon (except enclosed fish ponds) known as Pearl River, on the Island of Oahu, with such a limited extent of land in and adjacent thereto as may be agreed upon, for a Naval Station, under such reservations, restrictions and conditions as the interests of the contracting parties may seem to require: it being understood that any such treaty will be subject to ratification by the King and approval by the Legislative Assembly of the Kingdom."

Reciprocity

Mr Stirling favored postponement, to give time for petitions to be sent in, so that the popular opinion might be known, and said he believed that numerously signed petitions would be presented to His Majesty.

Mr Bishop has no doubt that petitions signed with many names, against reciprocity, and any cession whatever could be easily procured; that at first the impression upon the native mind would be, as it was upon his own against cession; that he had very little respect for petitions gotten up without knowledge or responsibility; that petitions were entitled to weight according to the intelligence and independence of the signers, and that no question like this could

Reciprocity or with the United States

can be settled properly by petitions; and that discussion and thought were necessary before opinions worthy of consideration would be formed.

Mr Judd said the whole matter would be taken into account in the next elections and would be thoroughly discussed during the canvass and in the legislature.

The Chief Justice opposed postponement for petitions because nothing could be settled in that way.

Mr Hall said it was time for the public to know whether the Govt had a policy or not; that if we have a policy, as he supposed we had, it ought to be adhered to and carried out with vigor; that the Ministers were embarrassed by the present undecided state of affairs. that if His Majesty was unable to make up his mind to cede any territory there was no use in trying further for reciprocity, and that it must be supported by the King or dropped altogether.

His Majesty said he had been warned and advised by old residents and some natives against cession of territory; that he did not like to cede; but was willing that his Minister should commence negotiations; that he knew that a few, the Planters and some others, would be benefitted by reciprocity, but did not know the how it would affect the mechanics and natives. that he was in favor of trying it, of having a treaty negotiated and would finally decide whether to sign it or not.

The Chief Justice said the business men throughout the islands are waiting with great solicitude for the action of the government. that if a treaty were ~~not~~ negotiated it would not be final until had been submitted to and approved of by the legislature.

Lunalilo, by the Grace of God, King of the Hawaiian Islands; to all who these presents shall see, Greeting:

Being desirous for the good of my Kingdom, to encourage ~~and promote~~ Agriculture, commerce and other industries, by simplifying ~~the~~ and promoting trade and commerce ~~with~~ between the United States of America, ~~on~~ the nearest, ~~nearest~~ ~~neighbors~~ and hitherto principal market for our surplus ~~market~~ money and my Kingdom, I hereby fully authorize and empower Charles R Bishop Esquire, my Minister of Foreign Affairs to meet, confer and negotiate with Mr Henry A. Peirce, Minister Resident of the United States, and with him to conclude and sign a treaty of special reciprocity between the two countries; and in compensation for valuable special concessions to be conceded to my Kingdom, ~~by~~ the United States of America I also authorize and empower my said Minister to include in said treaty a cession of the Lagoon

It should be, before making up this mind.

known as Pearl River on the the Island of Oahu, with a limited extent of territory within and around said lagoon, for the a Naval Station; and thereafter to submit the same to me for my approval, and for my ratification at the time and place that may be agreed upon, in the said Treaty, for the exchange and ratification thereof.

Given under my hand at Honolulu this day of A.D. 1873 and the first of my reign.

Mr Hall thought the public ought to be advised that His Majesty was favorable to a treaty including arms, and that it was his purpose to carry it out; that he (Mr H) was anxious for unity of feeling and action, and the labors of the Cabinet should if possible be harmonious.

Mr Bishop said it was very important that His Maj. should make his own views known in the Cabinet Council; that when a discussion was had and a vote taken from which His Maj did not dissent, the others had a right to suppose that His Maj was in favor of carrying it out, and would give his influence accordingly, and defend it in public and private when he had occasion to express his views; that the business of the country could not be carried on unless His Maj. ~~would~~ sustained the Policy of His Govt as determined in Council; that unless His Maj. was willing to authorise him to cede the entire Layson of Pearl River, a piece of land (a few hundred acres) on each side of the Channel, the island, peninsular and water privilege that have been talked about, and the right to defend the same in time of war, making such stipulations in the treaty regarding coasting, sale of Spirits and opium &c, &c, as might be thought necessary for the protection of Hawaiian interests, then it was useless to attempt negotiations; that reciprocity would doubtless be advantageous for the whole country; that he regarded it now, as he always had, as an anti annexation measure, that with prosperity there would be contentment with the Government; that our revenue depended upon the value of our exports, and our ability to provide for the lepers and other sick, for education and the general requirements of an independent and civilized Govt. depends upon the revenue.

Reciprocity

His Majesty said his want of experience was a great disadvantage to him, and that this question had not been as much discussed as he desired that it should be before making up his mind.

The Atty Genl. "Is it not the best way to start the discussion of this measure by having it publicly understood that the King and his Cabinet are in favor of the policy of reciprocity and not cession?" That would lead to an interchange of views. The first impression will, with the natives especially, be against it, but afterwards, when they come to understand the reasons for it, and what is intended to be done, they will think and act differently. From my observation on my official tours in the country I am convinced that we are running behind hand in nearly all branches of business."

His Majesty said the further discussion of this subject would be postponed until next Saturday at 10 o'clock.

The Minister of the Interior presented several applications for lease and purchase of lands as follows:

1st. Appln. of J. Robinson & J. Marsden for land at Waiole

From James Robinson & Joseph Marsden for lease of the upper part of the valley of Waiole, Kauai, for twenty years at $150.00 per annum, for planting coffee, ramie, Manilla banana etc, and a letter from Henry Johnson stating that the land applied for belongs to the Govt. contains, as he estimates, about 1000 acres; is mostly steep sidehill, and is unoccupied.

Lease to be made, reserving wood, except for use upon the said land.

2. W. O. Kaipo.

From W. P. Kaipo, for remainder of Kohanaiki in North Kona, Hawaii, containing 150 @ 200 acres; and letter from the Agent H. N. Greenwell, advising lease by auction for 15 or 20 years

Recommendation of Agent adopted.

3. Poinhane

From Poinhane to purchase a piece of the Ahupuaa of Honopou, in Hamakuapoko, Maui, containing $3\frac{37}{100}$ acres, @ $2 per acre; and a letter from the Agent, Gov. P. Nahaolelua, saying that the land is a remnant, and advising the sale.

Recommendation of Agent adopted.

4. From D. Kaapeahina for five pieces of land $44\frac{6}{100}$ acres in all, in Kulula, @ $2\frac{27}{100}$ per acre = $100. and two pieces $179.\frac{70}{100}$ + $4\ 37.\frac{7}{100}$ = $184\frac{7}{100}$ acres

in Kawaikapu for $223.40 and saying, that he had already paid $60 on account of it, Application accompanied by surveys, and recommendation of sale by Gov Nahaolelua. The locality and quality of the land not being well known, action upon the application was deferred for more information.

Purchase of land for Mauka entrance to Hotel.

The Atty Genl. said that under the late Administration, Mr C. C. Harris, acting for the Government, purchased from Kalama (K) brother of Kailiwai, for $175, the undivided half of a lot on Beretania St for an entrance to the Hawaiian Hotel premises; that Palua, widow and heventiff of Kailiwai says there is a claim upon the whole lot amtg to $693.50 one half of which she asks the Govt to pay. The question is, will the Govt. give up the lot, and lose the $175 paid, or pay the one half of said debt, amtg to about $350.00? Considering it advantageous to the Hotel premises to secure an entrance from Beretania St the Minr of Finance moved that the Minr of Interior pay the amount required out of receipts from sales of Govt lands.

Carried and so ordered.

The Cabinet adjourned.

Chas R Bishop
Actg as Secretary.

The Cabinet met at the Foreign Office July 5th at 10 o'clock A.M.

Present, His Majesty, the Chief Justice, all of the Ministers and the Atty General.

The minutes of the Council of July 2nd were read and approved.

Mr Bishop read a draft of a letter to be addressed to Mr Peirce Minr Resident of the United States, substantially the same as was proposed in the resolution offered by him on the 2nd inst.

His Majesty said he did not wish to act hastily in this matter, tho' he had determined to follow the advice which had been given by a majority of his Cabinet at the last meeting.

Mr Bishop said the main question – reciprocity and cession of Pearl River – has been under consideration a long time; that the reasons why action should not be longer delayed, if anything was to be done were, that two or three months must pass before the Minr Resident would receive authority to negotiate; the negotiations might occupy a good deal of time; that if a treaty were agreed upon it should be in time for the U S Senate to act upon it next winter, and if ratified by the Senate and by His Majesty, be laid before the Legislature at the next Session, for if too late for the next regular Session, a special Session would have to be called, making a large Expense, or it would have to lay over two years longer, which time added to the long notice unfortunately required by some of our treaties to be given of any change of tariff, would be almost equal to indefinite postponement; that until the terms of the treaty are known there is no occasion for anxiety about its effect, for whatever they may be will be subject to the approval of the King and the Legislature, and unless it shall completely guard Hawaiian rights and interests, and secure for the country advantages worth more than its cost, it will come to naught; that unless it is really intended to try earnestly for reciprocity, and to cede the lagoon and a reasonable extent of territory for a Naval Station for national purposes, under proper restrictions and conditions, it is worse than folly to commence any negotiations; and that he wished his Majesty to be satisfied in his own mind, so as to act decidedly with his Ministers for the accomplishment of the object in view.

Reciprocity or nothing with the U S

The Chief Justice, Minister of the Interior and Attorney General each favored sending the letter and proceeding with the negotiation.

His Majesty also approved of the letter, authorizing the Minister of Foreign Affairs to send it, and to negotiate a treaty upon the terms proposed.

The Minister of Finance said he could not favor sending the letter, because he was opposed to ceding any territory on any terms; that he would favor reciprocity pure and simple; and be willing to expend considerable money in securing it; that if the United States had a proper sense of justice or were disposed to act generously, there was a fair basis for such a treaty between the two governments, without any cession, the imports from the U.S. and the exports to them being of about the same value.

The Chief Justice said his experience and the result of all former efforts convinced him that reciprocity without cession was unobtainable.

The Council adjourned

Chas R. Bishop
Act'g as Secretary.

The Cabinet met at the Foreign Office at 11½ o'clock, July 17th 1873.

Present, His Majesty the King, the Ministers of Interior, Finance and Foreign Affairs.

Reappointment of D McBryde as C. Judge Kauai.

The Minister of the Interior said the Commission of the Circuit Judge of the Fourth Judicial District (Duncan McBryde, Kauai) expired on the 12th instant, that Judge McBryde had been highly spoken of by the Justices of the Supreme Court, and the Attorney General, and he recommended him for re-appointment. The other members of the Council concurred, and His Majesty said a Commission would be issued to Hon Duncan McBryde as Circuit Judge for the Fourth Judicial District, dated the 12th instant.

Appn of D Kaopeahina for land on Molokai.

The Min. of the Interior referred to application of D Kaopeahina (see page 396), and said Gov. Nahaolelua, Land Agent, had reported to him that the lands applied for are in the Dist. of Hana, Molokai, are remnants of Govt. lands, of poor quality, not worth more than the price of feed, and recommending the sale. A sale was ordered.

from D Kaopeahuna

Mr Hall also presented an Application for purchase of a Fish Pond (Loko) called Kamauwai, at Kalualoha, Molokai, and offering $150 for it, and a letter from the Agent, Gov Nakaelua, stating that the walls of the pond are much out of repair, that it would be well to sell it, and that it is worth $200, and the applicant would give that sum.

Appn of D Kaopeahuna for purchase of Loko on Molokai

On motion of Mr Bishop it was decided that the Minr should procure a survey of the Pond, and then offer the Pond at auction at an upset price of $200.

Lands at Makiki purchased for Palace Site.

Mr Hall read a letter from W. R. Seal, calling attention to the lands at Makiki that were purchased for Palace Site; stating that the person or persons cultivating those lands ("36 acres") had deprived him of water to which he has a right, that all of the water of the Makiki Stream belonged to him, as appeared by a recorded decision of the Water Commissioners, &c &c. &c.

Water rights at Makiki

Mr Bishop said he was confident that all of the water of the Stream in question did not belong to Mr Seal, but did not know of the proper division of it.

The matter was referred to the Minr of the Interior for examination.

Appn of CW Kinui for land in Kaupo

Mr Hall read an application from C. W. Kinui for lease of land "Lelekea" in Kaupo, or Kipahulu, Maui, without any description or offer of rent, and said Gov. Nakaelua was opposed to leasing that land.

Application Rejected.

The Cabinet adjourned.

Chas. R. Bishop.
Acting as Secretary.

The Cabinet met at the Foreign Office Aug 1st. 1873. at 10 O'clock A.M.

Present, His Majesty, the Ministers of the Interior, Finance and For. Affairs, and the Atty General.

The minutes of the meeting of 17th ult. were read and approved.

The Minister of the Interior said his attention had been called to certain articles now advertised for sale by auction on the 2nd inst. belonging to the Estate of His late Majesty, which had been imported for and used in Iolani Palace, and that seemed necessary furniture for the Palace especially when public official entertainments were given there; he referred to the four Rosewood, Marble top Tables from China, the Dinner and Breakfast Set and the set of Glass Ware imported from England by J.T. Waterhouse, and also the large Koa round table in the small red room at the Palace, at the same time. He said that nearly all of the furniture in the Palace now belongs to the Govt and was purchased (in part) with funds appropriated for a new Palace, and that if the articles in question were purchased by the Govt. they would have to be paid for out of the present appropriation for "Royal Palace"

Mr. Hall moved and the Atty Gen'l, Mr. Judd, seconded that the above mentioned articles be purchased by the Govt. at cost price; and it was so ordered.

Purchase China, Glass & Furniture for Palace.

* The Min'r of the Interior referred again to application of W. H. Kaauwai for lease of Waiakoa in Keela, Kauai; and stated that Gov. Nahaolelua had reported to him that that land had been placed in his hands to lease to Natives, that it was so leased now, and the receipts from it amounted to $100 per annum, which is a little more than Mr. Kaauwai had offered. The Application was declined.

Appl'n of W. H. Kaauwai for land on Kauai.

The Min'r of Int. presented application from Kahue (accompanied by survey from W. P. Alexander made July 1st 1873) for 12 Acres in Waiokya (above mentioned), and offering fifty six dollars ($56.00); and a letter from Gov. Nahaolelua, recommending the sale. Sale ordered.

Appl'n of Kahue

* The matter of an inventory of Government property at Iolani Palace was talked about, and it was agreed that there should be two inventories made and kept, one to remain in the hands of the Chamberlain and the other to be kept in the Interior Department.

The Min^r of the Interior said he had no report to make upon Mr Beal's complaint at present except that Mr W D Alexander was examining into Makiki lands.

App^n of A Smith & Trask for woodland on Kauai

Mr Hall also presented application of Antone Smith and Geo Trask for five years lease of Paapaa near Moloaa Kauai, to cut fire wood, and said he had requested Hon D. McBryde to report upon the matter.

After some general remarks adverse to the practice of leasing lands for wood cutting, the App^n was deferred.

The Cabinet adjourned,

C R Bishop Act^g Sec^y.

Conference of Ministers on disposition of Police.

The King being sick, and at Waikiki, the Ministers met Septr 12th (13th) at 12 1/2 o'clock at the office of the Minister of the Interior.

The Attorney-General requested advice upon the following points.

1st. Are the Palace, Gov^t House, Prison, Armory, Barracks, & Powder Magazine to be considered as under the charge and protection of the Police?

Answer. Yes.

2d. Is it advisable to engage any of the Soldiers who are loyal, as police, especially as prison guard?

Answer. Not at present.

3d. Shall a foreign policeman be put in charge of the powder magazine?

Answer, Yes.

4th. What shall be done with the Chassepots now at the Barracks?

Answer. Leave them in the room where they have usually been kept dismantled - lock the door and leave the key in care of the Marshal.

Adjourned

C R Bishop

Act^g as Sec^y.

The above should have been dated the 13th

CRB.

On Tuesday, the 16th of Sept. 1873. at 1 o'clock P.M. the Ministers of the Interior, Finance and For. Affairs, and the Atty. Genl. met at the Foreign Office.

Mr Bishop said, The King had been brought into town yesterday, and the physicians Drs Fronsican and McKibben had both told him that morning, that the King was not quite as well as he was the day before; that Dr. Fronsican remarked that the only apparent disease remaining, was the chronic bronchitis and a disordered stomach; that he had very little doubt but that the King would get better, although lack of appetite, and high pulse held on remarkably.

Mr Bishop also ~~said~~ reminded his colleagues that they had held several informal meetings and conversations since the King had been taken sick, upon the subject of advising ~~His~~ Majesty ~~upon the subject of~~ to appoint his successor; that it had only been delayed until a suitable time and opportunity for bringing it to his notice should have arrived; that it was now the united opinion of all present as they had each expressed it, that it ought to be done without any unnecessary delay, whether the King were in good or ill health.

All present agreed that the time had come when the King should be advised to make an appointment, and proclaim it, and that such an act would have an influence to quiet the public mind and put a stop to much agitation.

Forms for the appointment to be signed by the King, and by the Nobles (of whom there are but seven, all supposed to be in Honolulu at present) signifying their consent thereto, and also for a proclamation were prepared and approved of, and Messrs Hall and Bishop were requested to see the King to day, and advise him to call the Nobles together ~~today~~ quietly as soon as practicable, to morrow if possible, and complete the matter if possible without any outside discussion or demonstration; and let the proclamation be the first public announcement of any action having been had.

Adjourned

C. R. Bishop
Acting as Secretary.

Conference of Cabinet on subject of the Succession.

Foreign Office Sept 17th 1873

The Ministers of the Interior, Finance and For. Affairs and the Atty Gen. met at the Foreign Office at 11 O'clock A.M.

The minutes of the meeting of yesterday were read and approved.

Mr Bishop, on behalf of Mr Hall and himself made the following report.

We went to Waimoiho at three o'clk P.M. and finding the King sleeping, went again at 5. O'clk.

Mr Bishop said to His Majesty, We have come to speak with your Majesty upon an important matter which you have doubtless has in mind, - that of appointing a successor to the Throne. There has been, and is, considerable political agitation in the community, public meetings &c, and your Ministers are of opinion that if your Majesty would appoint and proclaim your successor it would satisfy and quiet the public mind.

To which, the King replied. "I know they are going to hold a public meeting. They dont know what they are about."

Mr Bishop resumed. The public meeting talked of for to night has been postponed, but aside from public meetings and agitation, this is a matter which should be attended to without any unnecessary delay, for you have at present no heir. If you were in perfect health, I would urge you all the same to settle the question.

His Majesty said. "I cannot attend to it now, when I get well I may see about it."

Mr Bishop said - I am sure that your Majesty must have thought of this matter more than once; and when a thing is to be done, it is better to do it and have it out of hand. By attending to this business now your own mind and the minds of many others will be relieved. It can be done very quietly and quickly. Your Ministers have prepared forms for the appointment and proclamation, which I have here with me and will read to you if you will permit me,

Conference with His Maj. on subject of succession

and if you will tell me or somebody else to notify the Nobles - of whom there are but seven, all now in Honolulu I believe - to come here to your room, the whole business can be completed in a very short time. We regret very much that you have no heir and if you should have one hereafter, care has been taken that the appointment of a successor will not prejudice the rights of your heir. It is a privilege and a duty which belongs to Your Majesty, to say who shall succeed you, and it is a patriotic duty which you owe to your people to provide a successor. Life is uncertain to us all. I have also brought with me a copy of the proclamation made by Kamehameha III, appointing his successor, which was signed by the members of the House of Nobles. Your act might be similar in some respects.

Congratulations with the King on subject of the Succession.

Mr Hall said. We hope and trust that your Majesty may live and reign many years, and the appointment of a successor can make no difference with the rights of yourself or of your heir if you should have one; and if it should be the will of God to take you away from your people - and you know how uncertain life is to any of us - it is certainly very desirable that you should have provided a proper successor, so as to save the risk and confusion that may follow if you do not. The public expects it of you, and all classes will be gratified by your attending to it.

Mr Bishop added. It is our duty as your Ministers to bring this matter to your notice. We know that you are sick, and for that reason do not like to trouble you. We have waited until we think you can do what is necessary to be done without detriment to your health. Without wishing to bore you we would tell you that people of consequence in your Govt and out of it have repeatedly spoken to us upon this subject, and we are, of course, held responsible for the discharge of our duty.

The King several times interrupted Mr Bishop and Mr Hall, saying that he could not attend to providing for the succession while he was sick, and seemed quite indifferent about attending to it at all.

At times he seemed impatient that it should have been mentioned, ~~and~~ and was displeased that a public meeting should have been held with reference to it. He intimated that if he made an appointment it might be quite different from what would be expected.

Conference with His Majesty on subject of appointing a successor.

Neither Mr Hall nor Mr Bishop named any person or intimated any preference, but Mr B. reminded the King that the consent of the Nobles would be necessary to any appointment; and if a person should be named whom they should think unsuitable, they could withhold their consent. His Maj. replied quickly, then they might pick for themselves and he would make no choice.

Mr Bishop asked him again if he should read the forms which he had brought with him. The King said No. I do not want to hear them now. Mr B. When will Your Majesty hear them? will you set a time? May I read them to you to-morrow morning? His Maj. finally said, Yes, you may come early to-morrow morning, my mind will be clearer then.

Mr Bishop also reports that he has called upon the King this morning, and found him much improved since yesterday. Showed him the forms prepared yesterday, discussed and explained the law as relating to appointment of a successor at considerable length, and again advised him strongly against putting it off. Tried to impress upon him the danger of omitting so important a duty, telling him that if he were to die, - of which there happily seemed to be no immediate danger - without an heir and without providing a successor, the person whom he might regard as the most unsuitable, might be his successor, or there might be such strife and confusion as would endanger, and possibly terminate, the independence of Hawaii nei; that the King said repeatedly that his mind was not made up as to who he would appoint; that he would not do anything about it until he was well, and could not say when he would do it. In fact he gave very little encouragement

-ment that he would do it at all. He said he should appoint some more Nobles.

All present con- ~~sidered~~ cluded that their duty in this matter had been discharged, and that for the present at least, it was useless to say any thing more about the succession, but to wait for the action of the King, or a more favorable time

Adjourned.
C R Bishop.
Acting as Secretary.

Wednesday, Oct. 1st 1873

Cabinet met at Hainoeiwa at 10 o'clk A.M. present, His Majesty the King, the Min.rs of Interior, Finance and Foreign Affairs and the Attorney General.

The records of the meetings of Aug 1st and Sept. 12th last, were read and approved.

Military orders issued by H. Maj. } Mr. Bishop, Min.r of Foreign Affairs and Secy at War read the record of Military Orders issued by His Majesty as Commander in Chief, and by himself as Secy at War, and the correspondence on Military affairs, or and since the 9th ult.

Military matters. Inquiries by Mr Bishop } The following subjects, introduced by Mr Bishop, were discussed in an informal manner, viz: Who is responsible for, and should control the disposition of the arms, military material, flags etc, belonging to the Government? Who shall have the care and direction of the Band, that is, as to when and where they shall play, and the providing for their sustenance &c. The want of discipline, and the intemperance and general disorderly, and immoral habits of the bandsmen including the leader Mr Berger, The erection of a Saluting battery of 12 Pounder Guns near the Oahu Prison. The recovery of missing arms, clothing &c and the punishment of the leaders and most guilty parties in the late mutiny and insubordination of the Household Troops.

The words "control and" were struck out in the Council by Act #1873 CRB

Upon the foregoing matters the following conclusions were adopted.

1st That the Secretary of War is responsible for the care of the Military property of the Government, and for the expenditure of the appropriations for Military purposes; and that under him the Governors have the immediate ~~control and~~ care of all such property on their respective islands

2. That the Government Band shall also be under the immediate care and general direction of the Govr of Oahu.

3. No changes to be made in the saluting battery at present.

4 That the clothing, caps and blankets lately taken from the barracks contrary to orders, having been taken by so large a number of persons, now dispersed over the several islands, could hardly be recovered to an extent worth trying for.

5 That the missing arms Chassepots be recovered as far as possible.

Arrest of insubordinate troops

6 That, whereas the letter addressed by His Majesty (the Incendiary) to the insubordinate troops, on the 11th ultimo, has generally been construed as amounting to or promising a full pardon to the offenders, it is inexpedient to take any further measures for their arrest and punishment.

Iron door on Cell in Barracks.

7. That an Iron door be put to the Cell in the barracks, and that the Chassepot Rifles, after being made complete and good order be, with the exception of those required for the use of the Police at the Oahu Prison and Station-house (not exceeding 24), and by the Volunteer Company "The Prince of Hawaii's Own", ~~to be put~~ into boxes, and stored in the cell.

Military orders of the King through the Sec^y of War.

8. That all orders from His Majesty, ~~to the~~ relating to military property or affairs to be executed by the Governors or their subordinates should be made through the Secretary of War.

Mr Hall, Minister of the Interior, presented applications from C. P. Ward and N. C. Jones, each for few acres of land in Kawaiahao, at the slope of "Punchbowl", for which they offer $10 per acre.

Mr Hall said some $500. had been paid by the Gov^t.

for earth and sand used upon the roads and streets in and near Honolulu, and much more would be wanted, that the places applied for were wanted by the Govt for the reasons above indicated, and therefore he advised the rejection of the applications. His advice was concurred in and the applications rejected.

Appn. of W. R. Seal.

Mr Hall presented application of W R Seal for a corner of land contg $\frac{915}{1000}$ Acre, lying between his lot at Makiki and Kinau St. and offering $100 for the same.

Mr Stirling moved that the application be granted provided Mr Seal would also give the Govt. a small corner from his lot lying in the range of Kinau St. and just beyond the piece applied for, and also pay the expenses of conveyancing &c. The motion was concurred in by the Cabinet, & it was so ordered.

Appn. of J Kahula to purchase land in Kalihi

Mr Hall also presented application from J Kahula for purchase of a remnant, said to be about fifty acres, of Kalualua, in Kalihi uka, and offering $200 for it.

It was unanimously agreed that the Govt land in that valley should be retained so that the trees and other vegetation might not be destroyed thereon, and therefore the application was declined.

The Cabinet then adjourned.

C R Bishop
Acting as Secretary

Cabinet met at Hainoiipu Oct 14th 1873 at 11 O'clock A.M.

Present His Majesty the King,
the Ministers of Interior, Finance and For. Affairs and the Attorney General.

The minutes of the Council held on the 1st inst. were read, and, after making the correction noted on page 408, were approved.

App.n of Kauahokai for land at Pukoo.

The Min.r of the Interior, (Mr. Hall) presented application of Kauahokai for 2 Roods and 16 Rods of land at Pukoo, Molokai, as surveyed by L. Aholo, for which he offers six dollars; and the sale of which is advised by Gov. Nahaolelua.

It was moved that the sale be made, provided it is ascertained that it will not interfere with the public landing at Pukoo., and was so ordered.

App.n of Kahula for lease of land in Kalihi

Mr Hall states that Kahula whose app.n for purchase of land in Kalihi had been refused by the Cabinet on the 1st inst., has since applied for a lease of the same land for ten years at twenty dollars per annum, with the understanding that he wants cut no wood, except for domestic purposes on the land, nor pasture any cattle or goats on the premises.

The Min.r was instructed to have the land surveyed, and to lease it to Kahula on the terms above stated.

Small Ilis to belonging to Gov.t in Waikiki Manoa &c

Mr Hall said there were a number, about 14, small Ilis and pieces of land containing from one to five Loi's, at Waikikikai, Waikikiwaena and in Manoa, belonging to the Government, and for a number of them he had had applications to lease; also that there were several Lele's of land (mostly kalo patches) of the land called Kalua-palena, for which he had no offers.

To be surveyed & sold or leased.

Mr Bishop moved that the Min.r be requested to have all of the above mentioned lands surveyed, and be authorized to sell or lease the same, at his discretion. The motion was agreed to, and it was so ordered.

Official Correspondence of For. Office read

Mr Bishop (the Min. of For. Affairs) read his correspondence with J. H. Gopler Esq. H.H.M's Chargé d'Affaires and Consul General at Hamburg, on the subject of the Hamburg and Bremen Treaties; a letter from R. C. Janion Esq. Consul at Liverpool, enclosing a letter from Edward Geo. Buchanan applying for Consulship for Edinburgh and Leith; his correspondence with Edw. Reeve Esq. Consul Gen. for the Colonies of Australia; his letters to the Minister Resident of the United States and to S. W. F. Odell Esq. Chargé &c at New York, upon the claim of payment for the Ham. Bark "Harvest" destroyed by the "Shenandoah", Manley Hopkins' (London) letters of Mch 29th and June 21st on the subject of immigration from the Dutch possessions in the East Indies, and his letters of 12th & 19th July and 2nd Aug upon the Austrian Treaty, and his (Mr B.'s) replies to the same, all of which were approved of.

The Cabinet Council adjourned.

C. R. Bishop.
Actg Secy

Cabinet met at Hainoaipu Oct 22/73 at 11 o'clk A.M.

Present. His Majesty the King, the Ministers of Interior, Finance and For. Affairs, and the Atty General.

Mr Kinney's Appn for Land in Hilo

Minutes of the Council Oct 14th were read and approved. The Minister of the Interior presented application from Mr William Kinney, for purchase of about fifty acres of land in the mauka part of Aleamai, Hilo, and offering $1.75 per acre for same; also letter from the land agent R. A. Lyman, stating that said land was well wooded with Kenelian and other timber; was probably worth $2 @ $3 per acre, and that it would be better to sell all of the Govt. interest in Aleamai at one time.

Mr Hall was instructed to procure a survey of and report upon the Govt land in Aleamai.

The Min^r of Interior, read a letter from F. A. Schaefer Esqr inquiring price for 500 Acres of land adjoining land lately sold to H. A. Greenwell, in Kona Hawaii, and stating that said land was now under lease to Mr Johnson, to run a few months longer.

Mr Schaefer's Appn for Land in Kona

The Minister was instructed to reply, that an order has been given to survey the land in question and other land adjoining, some 3000 Acres in all, and that sales cannot be made until that shall have been done.

E Bal's Appn for land in Molokai

Mr Hall also presented application of Eugene Bal for purchase of about 100 in Molokai.

There being no survey or report upon the land applied for, the consideration of the appn was deferred.

Lease to O.B. Spencer Kau

Mr Hall reported that he had leased to O.B. Spencer, for fifteen years at $150. per annum, and rec^d one year's rent in advance, the following named lands in Kau. Hawaii; Kawalu, Kemalo, Ponpowela, Kaunamano and Papaikou 1. 2. & 3. estimated to contain 1500 Acres in all.

New Street from Palace walk to King St.

It was resolved that a Street, twenty five feet wide shall be opened, running from Palace Walk to King Street, along the Ewa side of the premises belonging to Achong and Mr Smith.

Lot for site for Mililani School

It was also resolved that portion of the land purchased for Palace premises, (lately owned by His present Majesty) lying between the above mentioned new Street, and Punchbowl Street, and mauka of the line of the mauka boundary of J. A. Hopper's premises, be set apart, and dedicated to the use of the Mililani School, for a site for School houses, under control of the Board of Education.

Lot near Hopper's to sell or lease.

The Minister of the Interior was authorized to sell or lease that part of the Palace lot which lies between the proposed new Street and Mr James A. Hopper's premises (about

twenty feet in width on King Street,) at his discretion. He was also authorised to fence the said new street along its Ewa side, and to pay for the same from the Appropriation for "Royal Palace".

Waterworks

The subjects of an increased supply of water for Honolulu, by new reservoirs, dams, &c; the purchase of Mr Hillebrand's leases; the examination of springs and streams including that in the cave near Punnui were informally discussed; but nothing was ordered it being understood however, that the Minr of the Interior would have the said cave surveyed, and report upon.

Nobles

His Majesty said he purposed appointing some more Nobles soon, there being but nine ~~eight~~ now living, and requested each of the members of the Cabinet to send him a list of the names of those persons whom they would recommend.

The Cabinet adjourned.

C R Bishop
Acting as Secy

Cabinet met at Haimoeiphu Nov 14th 1873.
at 11 o'clock A.M.
Present His Majesty the King
the Ministers of the Interior, Finance & For. Affairs
and the Attorney General
The minutes of the meeting of Oct 22. 1873 were read and approved.

It was resolved to call the new street to be opened through the Palace premises, from King Street to Palace Walk, Pohukaina Street.

Mr Bishop said. As it is the purpose of Your Majesty to leave for Hawaii next week, to be absent several weeks, and as the next mail may bring to Mr Peirce, the U.S. Minister Resident, full power to negotiate a treaty in accordance with the proposition contained in the letter addressed to him on the 7th of July last, it would be necessary for me to be furnished with authority from Your Majesty that I can exhibit to and exchange with the U.S Minister, if I am to carry out my former instructions and make a treaty.

The impression seems general throughout the country, that Your Majesty is not favorable to a treaty of reciprocity including cession of any territory. That opinion encourages opposition to Your Maj's Government, and places Your Ministers in a false position. If such a treaty is to be made it must have the hearty and constant support of Your Majesty. Your People must know that You believe in it, and intend to approve of it if it is reasonable in its terms; otherwise, to undertake the negotiation will be useless, and will hardly be acting frankly with the United States. If it is known that You are decidedly in favor of a treaty it will make a great difference with the opinions and action of many natives and foreigners, and the Legislature may approve. but, if it is understood that You are opposed the legislature will certainly reject it.

With the aid of Your Majesty's aid and approval we are willing to strive for a good treaty, whether we succeed or not; but if we cannot have Your influence

to help us, we had better drop or withdraw the matter now, before the U. S. Minister receives any authority from his Government.

His Majesty - At first I was disinclined to cede any territory, and afterwards I hesitated to give my consent only because it seemed that 600 miles square would be wanted. Why do they want so much?

Mr Hall - Mr. Bishop has stated the position of affairs correctly - and I concur in the views expressed by him - I have not been in favor of giving 600 Miles Square - but the exact amount of territory which it would be necessary to give is not and cannot be known now, and that is not the point at present.

His Majesty. I am in favor of reciprocity, and have got over my first objection to cession, and am willing to give Pearl River and some small pieces of land

Mr Hall - It has been publicly stated, in lectures and newspapers that Your Majesty was opposed to the cession of Pearl River; that impression is quite general, and is embarrassing Your Government. If Your Majesty thinks it a good thing to make the treaty, it is due to Your Ministers that you pay some, while there is a door open by which we may retire honorably. You can not retire honorably from the negotiation, before we know what the United States Govt. is willing to do.

His Majesty - The ceding of territory has with me been a very delicate matter all along. We hope to get advantages by it. I am in favor of reciprocity with all my heart. If we cannot get it without giving a large extent of territory, we had better drop it. I think we are getting on very well; perhaps rather slowly; but it is better for the Govt to go on slowly than to risk much ~~that~~ in trying for something that is of doubtful advantage.

Mr. Judd (Atty Gen). We are ready to take the odium and risk of carrying this ~~matter~~ measure to the legislature with Your Maj's approval, but if you are opposed, it would be quite useless to do so. The common people, voters, do not appreciate the

this measure or the value of the object sought for. They are influenced by misrepresentations, fears and promises. When men like Judge Kapena, a member of your Staff; known to be often with Your Maj., and Gov Nahaolelua, who has a larger influence with the natives than any other man perhaps, except Your Maj. go before the public and speak against cession of any territory, their views are taken to be the views of Your Maj.

If the representative of the U.S. asks for too much territory of course it would be refused

Mr Stirling - Question, What is too much. I do not think they would be content, or could properly protect their works, with less than ten miles square.

His Majesty - Before it could have been known what my views were, I rec.d very numerously signed petitions against cession - They were signed by a few foreigners, but mostly by natives - Some of the petitions are lost, and others are in my house at Waikiki.

Mr Stirling. It was understood in Honolulu that the presentation of the first petitions, led to the action of the Government, and that before the counter petitions were presented - I have thought much of this matter since it was discussed before. My views were then known, and they are unchanged, I have refrained from mentioning the subject, because of my position - I agree with Mr Bishop, that if the negotiation is to be proceeded with His Maj's views must be known, and must be advocated when opportunity offers. I do not think that a treaty can be made that either the U.S. or the Hawn Legislature will agree to; there will be disagreement about the extent of territory I see no chance for its success, but if it is Your Maj's wish, and for the good of the people I will favor it. Both sets of petitions ought to be considered.

Mr Hall We should have had the two sets of petitions before us, so that we might consider the weight of names - In considering petitions the character and standing of the signers should be taken into account

Some people sign petitions thoughtlessly and ignorantly, and others sign understandingly.

His Majesty - I know ~~the~~ some of the signers of the petitions now at Waikiki, and I think that many of the names are those of people unknown to any of us.

Mr Hall. Is the consideration of those petitions of sufficient importance to arrest action upon the matter before us? The King is going away, and the mail may arrive at any time.

Mr Stirling - Having acted upon the request of one set of petitioners, I thought it but common fairness to consider the others.

His Majesty - The petitions referred to are opposed to the Cession of Pearl River.

Mr Stirling - If you ask me what I would advise, the petitions not being before us. I advise the withdrawal of the authority to negotiate for the cession of territory at once, because I consider it hopeless. Reciprocity on its own merits, pure and simple, I would advocate with all my might, and spend money in trying to get it. I think we have a fair pretext for asking for such a treaty; and that such a power as the United States ought reasonably concede it to us.

Mr Snow. The time has come for decision.

Mr Bishop - Some three months ago Mr Peirce forwarded a Map of Pearl River, which was asked for by his Govt, and since that nothing relating to the action of that Govt. has been communicated. It is said that the Capt. of the U.S.S. Portsmouth (Comdr Skenitt) has repeated against Pearl River. In our proposition to the United States, reciprocity and cession of Pearl River are combined, and they cannot be separated without withdrawing our proposition. If Mr Peirce receives authority to treat, it will include ~~the~~ and be based upon the idea of acquiring a Naval Station, and if we withdraw that part, he will have to ask for new powers and instructions, and all will have to be commenced anew if anything is to be done.

Mr Stirling - Col. Steinberger is opposed to the acquisition of Pearl River by the U.S. and says it would cost them $6.000.000 before they would complete

their improvements. How much is it going to cost us to buy out private parties, before we can transfer to the U.S.? Not less than £100,000 and possibly £200,000. Mr Conroy says he makes £500 per annum out of his fishing rights there - and there are many other fisheries there.

Mr Bishop. I have always had it in mind that it would be necessary to have a law authorizing the taking of private property for public use; the value to be assessed by disinterested parties - and that in this case the United States would be required to pay the cost of the land required for public uses. Other property within their jurisdiction, fish ponds etc, would continue in the hands of private owners, the same as it does now. I have also been of the opinion that without parting with the sovereignty of much land outside the lagoon, the U.S. could be permitted to fortify some of the surrounding heights, and in time of war with another naval power, would occupy those points temporarily.

His Majesty. I think it will be difficult to get this measure through the legislature. x

Mr Hall. If the authority to ~~treat~~ negotiate is withdrawn, what is the alternative?

Mr Bishop. Before coming to this Council I was so impressed with the opinion that Your Majesty was really opposed to cession, that I prepared a draft of a letter addressed to Mr Peirce.

At His Majesty's request Mr B read the letter.

Mr Hall. We had better hold on to the ground that we have taken - advise His Maj. to give the Min^r of Foreign Affairs full powers, and if the United States do not meet us, that will end the matter.

Mr Stirling. Unless the King will give his hearty support, and believe that the measure can succeed, it had better stop now.

His Majesty. I agree with Mr Stirling. I feel decidedly that the measure had better be withdrawn now, while it can be done honorably. I cannot give the measure my

x I think Mr Conroy, for some reason, greatly overestimates the value of his fishing rights. This is the most valuable privilege within the lagoon & perhaps. The other rights must be valued very highly, and some rights not be injured.

hearty support.

Mr Bishop was instructed to send to the United States Minister Resident (Mr Peirce) a letter (like the draft read) withdrawing that part of his letter of July 7th which relates to cession of Pearl River &c for a Naval Station.

The Council was adjourned.

Chas R Bishop
Acting as Secretary.

Honolulu Dec 8th 1873.

The Ministers of the Interior, Finance and For. Affairs and the Atty Genl. met at the Interior Office at 11 o'clock A.M. for conference. His Majesty being at Kailua. Hawaii.

The Minr of the Interior said the subject for consideration was the granting or selling of Awa Licenses for the year 1874; that the applications from or for Lahaina, Wailuku, and Makawao, Maui, one each, and one for Waialua, Oahu, written in Honolulu, and mostly without date, were rec'd at the Sec. Office since Nov. 1st. and that applications for licenses for the following named places had been rec'd on or before 1st Nov.

Honolulu. Oahu	3 Licenses.		4 Applicants.	
Ewa	" 1	"	2	-"-
Waialua	" 1	"	1	-"-
Koolauloa	" 1	"	2	"
Koolaupoko	" 1	"	2	"
Hanalei. Kauai	1	"	1	-"-

It was decided that in those instances where the appn was rec'd after Nov 1. no license could be legally granted, and that none should be granted; that the licenses for Honolulu, Ewa, Koolauloa and Koolaupoko should be sold by auction on the 20th inst. and those for Waialua and Hanalei granted for $100 each, according to the Statute.

Adjourned
C R Bishop,
Acting as Secretary.

The Ministers of the Interior, Finance and Foreign Affairs, and the Attorney General met at the office of the Minister of the Interior at 10 o'clock A.M. for Conference, His Majesty still being at Kailua, Hawaii, in poor health. He having left for that place Nov 17th last.

The Min. of Interior presented Application from E Kull, for renewal of lease for ten years of the Government's half of Olohana, Kauai, for which he has paid heretofore $75 per annum. Judge McBride (Gov't land agent) has estimated the area of the entire land @ 2000 @ 3000 Acres, and the Min. was requested to refer the Appn to him, to ascertain the proper sum to charge for rent on a new lease &c.

Application of W. Shu Martin and J Namomoku for lease, for 10. 15 or 20 years of five lands in Kau, viz. Nakakaia, Popokaku 1 & 2 Puuoehu and Kiolokaa, and offering $215.00 per annum, was read; also report of Kauhane the Gov't land Agent in that District on the same, saying that there were remnants of lands, and as they run far up on the high land, may contain as much as 10.000 Acres, and that heretofore he has collected about $90. per annum for rents, and that to get $200 would be fortunate for the Gov't. Mr Hall said he had rec'd two other offers for said lands, one of $50. and the other $210 per annum.

After being satisfied that leasing these lands, reserving the cutting of wood for sale, would probably lead to no destruction of forest that would not occur if a lease were withheld, it was decided that the application should be granted, the rent ($215) to be paid semi-annually.

The Min. of the Interior also presented application from D H Nahinu to purchase for $50. a piece of Gov't land at Kaukako, Kona, Hawaii cont'g 3 or 4 Acres, with some Cocoanut trees on it.

Mr. H. A. Greenwell reports that Nahinu has been paying $6 per annum for this land, and recommends the sale on terms of appr. reserving right of way and boat landing for public use.

It was decided to not sell; but to continue to lease.

The Minr. of Interior said he had a letter from W. P. Ragsdale, Superintendent of the Leper Settlement at Kalawao, Molokai, saying that there were some fifty Hamaainas and "Kokua" men who had paid taxes; and inquiring whether they should go to the poling place now advertised, to vote for Repr. to the Legislature, or a Pole must be opened at or near the settlement for that purpose.

It was decided that another poling place should be opened and advertised according to law for the convenience of the parties referred to.

The conference adjourned

C. R. Bishop.

Acting as Secretary.

Jany 8th 1874.

All of the Ministers and the Atty Genl. met at the Foreign Office at 1. o'clock P.M. for conference. Mr Bishop said he had lately recd a letter from the Chief Justice dated at Bangor Nov 29th. in which he states that the time of his return was uncertain; that of course all were aware that Judge Widemann had stated publicly that he intended to resign soon; and that previous to his departure for Hawaii His Majesty had said that he wished Judge Allen to return before the next meeting of the Legislature. Mr Bishop also read his letter to the Chief Justice, of Dec 2nd in which he was requested to visit Washington &c; and stated that judging from the action, or rather want of action of the present Administration at Washington in favor of reciprocity, and the late news regarding the falling off of the revenue of the U. S. and the intention to put duties upon tea and coffee again &c, he was inclined to the opinion that an effort for reciprocity at the present time would not be successful, and

that therefore there would be nothing of public business to detain Judge Allen in the U. S. At any rate we would know ere long Judge Allen's opinion regarding reciprocity prospects.

The Attorney General said there were quite a number of cases in court on appeal, some of which were of a good deal of importance, which the parties were unwilling to bring forward until the Bench should be full.

In view of the foregoing facts it was the unanimous opinion of all present that the Min^r of For. Affairs should write to the Chief Justice and advise him that it is considered important that he should return if practicable before the April term of Court.

Adjourned.

C R Bishop
Act^g as Secy

At a Cabinet Conference held at the Foreign Office Jany 20th at 11 o'clock A.M. all the Ministers and the Attorney General were present. The Minister of the Interior, Mr Hall, stated that on his late trip to Kailua, Hawaii, to visit his Majesty the King, he arrived at Kailua on the morning of Friday, the 16th inst. found that His Majesty had, on the previous evening had a hemorrhage from the lungs, and was very weak; that doctors Trousseau and Oliver knowing that it was his wish and the wish of his colleagues that the King should return to Honolulu, both said that he could do so without risk or injury to His health; that at first His Maj was disinclined to come to Honolulu, but after listening to the arguments in favor of coming, and considering the matter for 24 hours, He decided on Saturday, May to come; that the passage down was comfortable, and that it was now evident that the voyage and change had done him no harm.

Mr Hall also said that before the King concluded to come to Honolulu He said He would write to Mr Bishop, to say, that He wished to have the invitation

Rest minutes of meeting of 8th inst. & the more appears
C.R.B.

to have the products of this country represented at the International Exhibition to be held at Philadelphia in 1876, accepted; and if necessary now to appoint Commissioners for that purpose, to appoint them on his behalf.

Mr Bishop said that since His Majesty's return to Honolulu he has expressed himself in favor of being represented at Phil'a as above stated by Mr Hall, and of his (Mr B's) writing to the Minister Resident of the United States, accepting the invitation contained in Mr Peirce's letter of Aug 11/73. and the documents accompanying it.

Mr Bishop read the draft of his letter to Mr Peirce accepting the said invitation, and it was approved of.

Mr Bishop stated that, on the 19th instant Mr Hall and himself had earnestly and repeatedly advised His Majesty to appoint his Successor to the Throne of this Kingdom; that in view of the opinion so generally expressed in favor of the Hon. Col. D Kalakaua, as being now the most eligible person to be appointed to that position, they had told His Majesty that by appointing Kalakaua, he would meet the wishes of the other high chiefs, of a majority of the Nobles, and of his people; that they had used in favor of this advice every reason that others, or their own minds, had suggested; that Queen Emma, H.R.H. Keelikolani, Mr Bishop, Dr Trousseau and others had also given their advice for the same object, and in the same direction; that His Maj. had also been advised that whenever he should signify his readiness to make an appointment, his Ministers would, without delay, have the Nobles summoned, in order that it might be submitted to them for their approval; and that His Maj. not only declined to appoint Col. Kalakaua, but said he would not do any thing about any appointment that day.

× Mr Judd, the Attorney Genl. said there was some difference of opinion as to what Representatives should be summoned, in case it should become necessary to call the Legislative Assembly together, according to Art. 22 of the Constitution,

× On the King's arrival at Honolulu Dr Trousseau told his Ministers that His Majesty's recovery was hopeless, and that the crisis must last beyond a week or two, and might die any day or hour. On the morning of the 19th he (Dr T.) told Mr Hall that any important matter for the King to attend to should be delayed, for he was very weak and might die suddenly. The report that Queen Emma advised His Majesty to appoint D Kalakaua as His Successor comes from Justice Hartwell. On the 19th inst. she told Mr Bishop that she would do so. C.R. Bishop.

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after the next election for Representatives, and, before April 1874, whether it would be those Representatives who may be elected at the Election to be held on the 2d of February 1874. or those who were elected previously.

After some ~~disputes~~ discussion of the question, showing a difference of opinion, Mr Bishop was requested to apply to the Justices of the Supreme Court for an opinion; and the following letter was accordingly addressed to them:

Department of Foreign Affairs
Honolulu Jan: 20. 1874.

To the Honorable Justices of
the Supreme Court of the Hawaiian Islands

Your Honors

At a Meeting of the Members of His Majesty's Cabinet to day, I was directed to request your opinion upon the following question:

In case it becomes necessary for the Cabinet to call the Legislative Assembly together as required by Article 22 of the Constitution, to whom shall that summons be issued? In case the summons is made after the Election of Representatives to be holden on the 2nd of February 1874, should it be issued to the Representatives then Elected, or to the Representatives Elected previously?

I have the honor to be
Your Obedient Servant
Chas. R. Bishop.

Adjourned.
C R Bishop
Act'g as Secy.

The Cabinet met at the office of the Min^r of the Interior at 12½ o'clk P.M. Jany 29th 1874
Present + C. O. Hall. R Stirling
A. F. Judd & C R Bishop
and, by invitation, Messrs H Hackfeld & Co Agents of the American & Australasian S. S. Co, represented by J C Pflueger and J. C. Glade.

The form of Contract between the said Company and the Hawaiian Govt. drawn up by the Attorney General and approved by the other members of the Cabinet was read by Mr. Hall.

Messrs Pflueger and Glade having been assured that it was not possible for the Govt. to promise any subsidy to the Steamer Co. did not urge that point, but they were very desirous that the Govt. should build a stone or slated Storehouse for the Steamer freight; a shed upon the wharf, and cover over the entire tram-way; or at least that the Cabinet should promise to try to get from the Legislature an appropriation for building such a store house. but the members of the Cabinet all declined to ~~make~~ put any such promise into the contract, or to make it verbally at present.

Messrs Pflueger and Glade said they would prefer the space between the present Store-house and shed, as the site for the stone store-house, or next to that the place where the present wooden Storehouse stands. They took the form of contract with them to consider and return it.

The opinion of Justices Hartwell and Widemann upon the question submitted to them (See preceding page 424) was discussed, but no formal vote was taken. The opinion is to the effect that, those who may be elected as Representatives on the 2^d Mon. cannot act as Representatives previous to Apl 30th 1874. and that should it become necessary to cause a meeting of the Leg. Assembly before Apl. 30/74. the Representatives of 1872 are the persons qualified and to

act as the Legislature.

Messrs Hall, and Stirling concurred in the opinion of the Justices of the Supreme Court, which opinion accorded with the views expressed by them previous to the submission. Mr Judd strongly dissented, and Mr Bishop, while inclining to the opinion of Mr Judd (that the Representatives who might be elected Feby 2/74 would be the persons to call together for any legislative purposes requiring a meeting of the Assembly after that date) said he felt almost bound to accept the opinion of the Justices and to act accordingly.

His Majesty has for several days past seemed somewhat better - but while the Cabinet was in conference, Dr Oliver, who called for another purpose, reported that since last night at 10 o'clk the King has not been quite as well as before, and was very weak.

Adjourned.

C R Bishop
Actg as Secy.

P.S.

It was agreed by the Cabinet that Mr Bishop should apply to R H Stanley for his legal opinion in writing, upon the question submitted to the Justices of the Supreme Court on the 20th inst., and the following letter was accordingly addressed to him.

C R B

February 2nd 1874.

The Cabinet held a conference at the Foreign Office, at 11 o'clock A.M. on the 2nd of Feby.

Present, E. O. Hall. Robt. Stirling
A. F. Judd. and C. R. Bishop

The minutes of the meetings held Jany 20th & 29th were read and approved.

The legal opinion of R. H. Stanley, Esqr upon the questions submitted to him as above recorded, and also the opinion of Hon. C. C. Harris upon the same questions were read and considered.

Mr. Judd called the notice of the Cabinet to Sec 29 of the Civil Code, with regard to continuance of the Prin Council after the death of the King.

In view of the fact that the preponderance of legal opinion, (i.e. the Attorney General, Hon C. C. Harris and R. H. Stanley Esqr. against Justices Hartwell and Widemann,) being to the effect that if the Legislative Assembly has to be called between the date of the Election of Reps. (Feby 2nd) and before April next, that the Representatives who may be elected to-day and the all of the Nobles, now constitute the Assembly to be called; that that opinion is also entertained by the community at large; that it presents less of difficulties and complications in its execution than the opposite course does, and that the responsibility rests with the Cabinet notwithstanding the opinion rec'd from the Associate Justices of the Supreme Court, it was unanimously agreed, that in case it

should become necessary to act, the opinion of Mess. Judd, Stanley and Harris would be followed. It was also agreed that if would not be necessary to summon the individual members by name, but that the order should be for a meeting of the Legislative Assembly in gross according to the terms used in Act 22 of the Constitution.

The Min^r of the Interior remarked that were it necessary to summon the Reps by name, it would be impossible to do so "immediately", at the present time, because the returns of the result of the elections being held to day could not be rec^d for a number of days yet.

His Majesty was reported to be in a very alarming state, unable to take nourishment, his mind at times wandering, and all his symptoms indicating that his life will terminate within a day or two.

Adjourned.

C. R. Bishop.
Acting Sec^y Secretary

Death of His Majesty Lunalilo.

His Majesty Lunalilo died in His bedroom in his private residence at Haimoeiphia, Honolulu, on Tuesday the 3rd day of February 1874, at 10 minutes before 9 o'clock P.M. The immediate cause of His Majesty's death was phthisis (consumption).

The Minister of Finance, the attending physicians Drs Trousseau and Oliver, x H.R.H. R Keelikolani, H.R.H. C Kanaina (the father of the deceased) the Hon. Mr C.R. Bishop. Hon. Mr Fanny Young Naea and others were present at the decease of His Majesty.

x Queen Emma.

A Cabinet Council was holden in one of the rooms of Iolani Palace at 10 o'clock P.M. on the 3rd instant, at which were present

The Minister of Foreign Affairs
The Minister of the Interior
The Minister of Finance
The Attorney General of the Kingdom

The fact of His Majesty's death having been satisfactorily ascertained, was duly noted, and in accordance with the provisions of the Constitution of the Kingdom in such cases made and provided, it was

Ordered, That a meeting of the Legislative Assembly be holden at the Court House in Honolulu, on Thursday, which will be the Twelfth day of February, A.D. 1874 at 12 o'clock, noon; and of this order all members of the Legislative Assembly will take notice and govern

themselves accordingly.
Iolani Palace
February 5th 1874.

Chas R Bishop
Minister of Foreign Affairs.
Edwin O. Hall
Minister of the Interior.
Robert Stirling
Minister of Finance
A. Francis Judd
Attorney General of the Kingdom.

A Cabinet Council was holden at the Foreign Office on Thursday the 5th of February at 11 O'clock A.M. at which all of the members of the Cabinet were present.

The following notice to the Privy Councillors, calling a meeting at Iolani Palace for Friday the 6th instant at 11 O'clock A.M. was approved of (See minute next page).

The Attorney Genl. was requested to procure a proper Certificate of Proof of his late Majesty's death, to be presented to the Legislative Assembly

It was Resolved. That the Minister of Finance be directed to advance from the Public Treasury, such sums of money as may be required for the expenses of His late Majesty's funeral; and that a resolution authorizing such expenditure be laid before the Privy Council.

The Minister of Foreign Affairs was directed to procure from Mr Eckart (Jeweller) a design for a suitable plate for His Late Majesty's Coffin.

The Min^r of Foreign Affairs was requested to state to the Privy Councillors the occasion for the meeting to be held tomorrow, and to draft some suitable resolutions to be then presented.

Adjourned.

Chas R Bishop
Min^r of For^n Affairs.

A Cabinet Council was holden at the Foreign Office on Saturday the 7th inst. at 11 o'clock A.M. at which all of the members of the Cabinet were present.

The Minister of Foreign Affairs stated that instead of the form of notice furnished to the Hon Secy of the Privy Council for calling the meeting of the 6th inst. the usual form was used by the Secy, and the time between delivery of notices and the meeting being short, it was not thought best to change it. He also stated that a resolution authorizing the payment out of the Public Treasury of the expenses of His Late Majesty's funeral, not to exceed the sum of twelve thousand dollars, was passed by the Privy Council at the meeting yesterday.

The time for His Late Majesty's funeral was discussed, and it was decided to wait until next Monday before fixing the day.

Adjourned

C R Bishop
Min^r of Foreign Affairs.

[C.]

Honolulu February 11th 1874

Hon Secretary A. F. Judd
Attorney General

Sir,

The Country has just sustained an enormous loss — So have the friends of His late Majesty. For one I have not recovered yet from the blow — It is only a faint consolation to know that all join in the deep regret felt by us.

On the 30 of the present month at 8.30 p. m. Kuy Lucaleo died —

On the 18th of August he ~~had~~ ~~been~~ was taken ill in Waikiki, and ever since until the day of his death he steadily lost his appetite and strength.

He suffered from almost constant

cough, and could not take any solid food.

Early in September, Dr McKibben first and afterwards Dr McGrew, were called in consultation. Different modes of treatment were suggested, but though faithfully carried out they did not succeed. In November a last consultation took place, on the 10th of September week, and the Doctors & myself came to the conclusion that the King was suffering from consumption. A voyage to Kailua was suggested and we started on the 17th of November.

For the first week or two, the King seemed to be benefited by the splendid climate of Kona; but he soon lost what he had gained, anyhow my opinion is that had he remained all the winter in Honolulu, he would have died a month or so sooner.

On the 15th of December I returned

to Honolulu, leaving His Majesty under the care of Dr Oliver. The King got gradually weaker, and was confined to his room. On the 14th of January he had for the first time spitting of blood and sent the Kilauea for me. When I got to Kailua on the 16th of January, I could see by the appearance of His Majesty that his days were counted, and decided on bringing him back to Honolulu for fear he should die in Kona.

We landed here in the 18th and we very nearly lost the King that very morning.

This only with any amount of care, that we managed to get him to the Palace. He rallied some for a few days, until the 31st of January ~~being~~ ~~after~~ the day. From that day to the 3d when he died, he did not take any nourishment, and was even unable to swallow a few drops

of water. On the 2nd of February he had a profuse spitting of blood and hardly spoke afterwards. On the 3d he died. All through the King had very little pain; was in good spirits and full of hopes.

He did not believe he was going to die until 15 minutes before when he whispered, I make one wave. These were his last words.

All through he was kind to all and tame in particular as when he Dr Olivier. As I stood before, the present at her death bed, could hardly realize his face and smile feel it for many a day to come

The Kings physician

G. Ramsey

Foreign Office Feby 11th 1874

The Cabinet, through Dr. ~~the~~ Trousseau the Attorney General having requested the late King's principal physician Dr. Geo. Trousseau to furnish a statement descriptive of the sickness and death of His Majesty, has this day furnished in writing the following.

(Copy)

Foreign Office Feby 13th 1874.

The Election for a Sovereign to the Throne of the Hawaiian Kingdom, made vacant by the demise on the 3rd instant of His late Majesty King Lunalilo was holden on the 12th instant at the Court House, according to the Order issued by the Cabinet calling the Legislative Assembly, dated the 3rd instant, and the High Chief David Kalakaua was declared duly elected King, he having received thirty nine votes, and Queen Emma fifty votes.

In the evening of the 12th instant, at the house occupied by Major Prendergast, in the Palace premises His Majesty Kalakaua requested the Ministers and Attorney General of His late Majesty to retain their Several Portfolios and to continue to exercise the authority appertaining to their Several offices as they had done under his late Majesty until He should have communicated with them further upon the Subject.

Each of the Ministers. Messrs Hall, Stirling and Bishop, and Atty Genl Judd expressed their willingness to comply with His Majesty's wish

Chas R Bishop
Min. of For. Affairs
Acting as Regt

The Cabinet met at house occupied by Major Prendergast in Iolani Palace premises Feby 13th at 1 O'clock P.M.

Present His Majesty the King
Messrs Bishop, Hall, Stirling and Judd.

His Majesty said it was his purpose to Prorogue the Legislative Assembly to-morrow at 12 O'clock, Noon, at the Court House, by a Commission. First Associate Justice of the Supreme Court and Vice Chancellor of the Kingdom, and His Excellency P Nahaolelua, Governor of Maui, to be the Commissioners.

His Majesty also stated his intention to appoint his successor to the Throne of the Hawaiian Kingdom at an early date.

Adjourned

C R Bishop
Acting as Secretary

Cabinet Council.

Friday. December 13. 1872

Resolved. That the Minister of Finance be directed to advance such sums of money as may be required for the Funeral Expenses of His late Majesty.

The above is a transcript from the records of the Cabinet Council of the above date

Honolulu June 6th 1874

W. L. Green

Minister of Foreign Affairs &c &c. & Secretary

Cabinet Council.

Thursday February 5th 1874

It was Resolved That the Minister of Finance be directed to advance from the Public Treasury such sums of money as may be required for the Expenses of His late Majesty's Funeral; and that a Resolution authorizing such Expenditure be laid before the Privy Council.

The above is a transcript from the records of the Cabinet Council of

the above date

Honolulu June 6th 1874

W. L. Green

Minister of Foreign Affairs &c &c
& Secretary to the Cabinet

Recd
P 332

Action of the Cabinet, about August 1873, touching appropriation of $11.661.62 for funeral expenses of Kaumhaumha 5th.

See Recd page 450

Action of Cabinet, about 6th February 1874, concerning app. for Funeral of Simalilo, not to exceed twelve thousand dollars.

Action of Cabinet, about Feb. 24. 1874, concerning app. for Police of Oahu, not to exceed three thousand dollars.

Under the 15th Art. of the Constitution the concurrence of all the Cabinet and of the majority of the whole Privy Council is required to warrant appropriations of funds not provided for by the Assembly.

The resolutions of the two Councils should be on file in the Registrar's office as his warrant. The resolutions are wanted in order to close the books of the Treasury for the fiscal Period ending March 31st 1874.

J.O.C.